THE NORTHERN IRELAND LAW REPORTS

The Public General Statutes

PASSED BY THE PARLIAMENT OF

NORTHERN IRELAND.

IN THE TWENTIETH AND TWENTY-FIRST YEARS

OF THE REIGN OF HIS MAJESTY

KING GEORGE THE FIFTH

1930.

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TABLE I

A TABLE OF THE TITLES OF THE PUBLIC GENERAL ACTS OF 1930.

being the Acts passed in the SECOND SESSION of the THIRD PARLIAMENT OF NORTHERN IRELAND.

20 & 21 GEO. 5.—A.D. 1930.

ROYAL ASSENT, 27TH MARCH, 1930.

1. An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the years ending on the thirty-first day of March, nineteen hundred and thirty, and the thirty-first day of March, nineteen hundred and thirty-one. (*Consolidated Fund.*)

ROYAL ASSENT, 30TH APRIL, 1930.

2. An Act to amend the provisions of the Grand Jury (Ireland) Act, 1836, with respect to the width of public roads. (*Public Roads.*)

3. An Act to amend the law with respect to offences against persons under the age of sixteen, and to enable corporal punishment to be inflicted in Borstal Institutions. [*Criminal Law and Prevention of Crime (Amendment).*]

4. An Act to amend the enactments relating to charges on the Consolidated Fund of Northern Ireland for the purposes of the Irish Sailors and Soldiers Land Trust, the guarantee by the Ministry of Finance of agricultural loans, the sale of tithe rent-charges whereof the proceeds are applicable under section three of the Exchequer and Financial Provisions Act (Northern Ireland), 1923, and the salary of the Comptroller and Auditor-General for Northern Ireland; and to authorise the making of an advance from the Government Loans Fund. (*Exchequer and Financial Provisions.*)

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ROYAL ASSENT, 30TH APRIL, 1930.

5. An Act to make further provision for preventing evasion of the requirements for grants, loans and exemptions from rates under section one of the Housing Act (Northern Ireland), 1923, and the enactments amending and extending that section. (*Housing.*)

ROYAL ASSENT, 17TH JUNE, 1930.

6. An Act to consolidate and amend the law relating to personation at parliamentary and local government elections, to amend section ninety-two of the Municipal Corporations Act, 1882, in its application to local government election petitions, and for purposes connected therewith. (*Parliamentary and Local Government Elections.*)

7. An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

8. An Act to raise to one million seven hundred and fifty thousand pounds the limit on the amount which may be outstanding at any time in respect of the advances by the Ministry of Finance for discharging the liabilities of the current account of the Northern Irish Unemployment Fund. (*Unemployment Fund.*)

9. An Act to make further provision for grants in aid of the repayment of certain loans to rural district councils for the purposes of the Labourers Acts (Northern Ireland), 1883 to 1927, and to extend the duration of the said Acts. (*Labourers.*)

10. An Act to amend section forty-five of the Railway and Canal Traffic Act, 1888, in its application to the abandonment of unnecessary canals in Northern Ireland, and for purposes connected therewith. [*Railway and Canal Traffic (Amendment).*]

11. An Act to alter certain Duties of Excise, the rates of Estate Duty, and the amount of the Fee payable to the Exchequer of Northern Ireland for certain motor car driving licences, and to make further provision in connection with Finance. (*Finance.*)

12. An Act to amend the Companies Acts, 1908 to 1917, and for purposes connected therewith. (*Companies.*)

13. An Act to provide for the inclusion of medical benefit amongst the benefits conferred upon insured persons in Northern Ireland by the enactments relating to health insurance and for the establishment of a sick visiting scheme under the said enactments; and for purposes related or incidental to the matters aforesaid. (*National Health Insurance.*)

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ROYAL ASSENT, 17TH JUNE, 1930—*continued.*

14. An Act to amend the Education Acts (Northern Ireland), 1923 and 1925, and for purposes connected therewith. (*Education.*)

ROYAL ASSENT, 25TH NOVEMBER, 1930.

15. An Act to continue certain Expiring Laws as respects Northern Ireland. (*Expiring Laws Continuance.*)

16. An Act to amend the provisions of the Weights and Measures Acts with respect to measuring instruments, and the power to charge fees and the provision of local sub-standards and scales in connection with the testing of weighing and measuring apparatus, and with respect to the administration of the said Acts in certain boroughs. [*Weights and Measures (Amendment).*]

17. An Act to amend the provisions of the Exchequer and Financial Provisions Act (Northern Ireland), 1923, with respect to the Reserve Fund and the Capital Fund established under that Act, and to provide for the application of certain moneys issued to the said Reserve Fund. [*Exchequer and Financial Provisions (No. 2).*]

18. An Act to amend the Constabulary Acts (Northern Ireland), 1922 to 1928. (*Constabulary.*)

19. An Act to confer on third parties rights against insurers of third-party risks in the event of the insured becoming insolvent, and in certain other events. [*Third Parties (Rights against Insurers).*]

20. An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, and to appropriate the further Supplies granted in this Session of Parliament. (*Appropriation (No. 2).*]

21. An Act to confer certain powers upon the Ministry of Commerce with respect to the supply of electricity, pending the general development and co-ordination of the system of supply in Northern Ireland. [*Electricity (Interim Supply).*]

22. An Act to amend the law relating to tithe rentcharge and certain variable rents. (*Tithe Rentcharge and Variable Rents.*)

23. An Act to provide for the maintenance of proper standards of quality and the carrying out of inspections in connection with the marketing of certain kinds of meat ; for the licensing of persons engaged in such marketing, and the registration of premises used for the slaughter of animals and otherwise for such marketing ; and for other purposes connected therewith. [*Agricultural Produce (Meat Regulation).*]

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ROYAL ASSENT, 25TH NOVEMBER, 1930—*continued.*

24. An Act to make further provision for the regulation of motor vehicles and traffic on roads: to provide for the protection of third parties against risks arising out of the use of motor vehicles and in connection with such provision to amend the Assurance Companies Act, 1909; and for other purposes connected with the matters aforesaid. (*Motor Vehicles and Road Traffic.*)

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THE PUBLIC GENERAL STATUTES OF 1930.

[20 & 21 GEO. 5]

CHAPTER 1.

A.D. 1930

An Act to apply certain Sums out of the Consolidated Fund of Northern Ireland to the service of the years ending on the thirty-first day of March, nineteen hundred and thirty, and the thirty-first day of March, nineteen hundred and thirty-one. [27th March, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows:—

Issue of £78,320 out of the Consolidated Fund for the service of the year ending 31st March, 1930.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty, the sum of seventy-eight thousand three hundred and twenty pounds.

Issue of £2,319,900 out of the Consolidated Fund for the service of the year ending 31st March, 1931.

2. The Ministry of Finance may issue out of the said Consolidated Fund, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, the sum of two million, three hundred and nineteen thousand, nine hundred pounds.

Power for the Ministry of Finance to borrow.

3.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the aforesaid sums, any sum or sums not

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A.D. 1930.

exceeding in the whole one million, two hundred thousand pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

40 & 41 Vict., c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund Act (Northern Ireland), 1930.

CHAPTER 2.

An Act to amend the provisions of the Grand Jury (Ireland) Act, 1836, with respect to the width of public roads. [30th April, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of 6 & 7 Will. 4, c. 116, as to widening of roads and width of new roads

1. In section fifty of the Grand Jury (Ireland) Act, 1836 (as adapted by the Local Government (Adaptation of Irish Enactments) Order, 1899) the words "not more than fifty feet in the clear," and in section fifty-five of the said Act (as adapted by the said Order) the words "nor more than fifty feet in the clear," are hereby repealed as respects Northern Ireland.

Short title

2. This Act may be cited as the Public Roads Act (Northern Ireland), 1930.

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CHAPTER 3.

A.D. 1930.

An Act to amend the law with respect to offences against persons under the age of sixteen, and to enable corporal punishment to be inflicted in Borstal Institutions. [30th April, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Period of limitation under 48 & 49 Vict., c. 69 and 13 & 14 Geo. 5, c. 8 (N.I.), s. 2, extended.

1. The limit of time mentioned in the second proviso to section five of the Criminal Law Amendment Act, 1885, as amended by section two of the Criminal Law Amendment Act (Northern Ireland), 1923, shall be twelve months after the commission of the offence.

Infliction of corporal punishment in Borstal Institutions. 8 Edw. 7, c 59.

2. If the governor (or, in his absence, the chief officer) of a Borstal Institution for male young offenders within the meaning of Part I. of the Prevention of Crime Act, 1908, reports to the visiting committee of such Institution that an offender detained therein has been guilty of grave misconduct for which no appropriate punishment is provided by the enactments, regulations and rules which apply to the Institution, the visiting committee, or any two members thereof, shall inquire into the facts of the case, and, if they are of opinion that the case cannot be met except by the corporal punishment of the offender, may order the infliction upon the offender of such reasonable corporal punishment as they consider necessary to meet the case, subject, however, to such general regulations with respect to corporal punishment as may be made under this section.

The Ministry of Home Affairs may make regulations for the purposes of this section, and the provisions of paragraph (*b*) of section eighteen of the Prevention of Crime Act, 1908, shall apply to any such regulations.

Short title, construction and commencement.

3.—(1) This Act may be cited as the Criminal Law and Prevention of Crime (Amendment) Act, 1930, and the Criminal Law Amendment Acts (Northern Ireland),

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1885 to 1923, and section one of this Act may be cited together as the Criminal Law Amendment Acts (Northern Ireland), 1885 to 1930.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(3) This Act shall come into operation on the first day of July, nineteen hundred and thirty.

CHAPTER 4.

An Act to amend the enactments relating to charges on the Consolidated Fund of Northern Ireland for the purposes of the Irish Sailors and Soldiers Land Trust, the guarantee by the Ministry of Finance of agricultural loans, the sale of tithe rentcharges whereof the proceeds are applicable under section three of the Exchequer and Financial Provisions Act (Northern Ireland), 1923, and the salary of the Comptroller and Auditor-General for Northern Ireland; and to authorise the making of an advance from the Government Loans Fund. [30th April, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Issues from Consolidated Fund to Land Trust in aid of housing.

17&18 Geo. 5 c. 10.

1. Thirty-five thousand pounds shall be substituted for thirty thousand pounds as the maximum amount of the sums which may be charged on the Consolidated Fund and paid out of the same to the Irish Sailors and Soldiers Land Trust, under and subject to the provisions of section four of the Exchequer and Financial Provisions Act (Northern Ireland), 1927.

Extension of power of Ministry of Finance under s. 2 of 19 Geo. 5, c. 3.

2. The Ministry of Finance may, under and subject to the provisions of section two of the Exchequer and Financial Provisions Act (Northern Ireland), 1929, guarantee loans made by joint stock banks to occupiers of agricultural holdings in rural districts to enable such

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occupiers to purchase live stock and poultry; and notwithstanding anything in sub-section (5) of the said section a guarantee may be given or renewed in respect of a loan to which the said section, as extended by this section, applies, where application for the loan is made after the thirty-first day of December, nineteen hundred and twenty-nine.

Amendment of s. 7 of 35 & 36 Vict. c. 90.

3. In a case where the Ministry of Finance has power to sell a rentcharge in lieu of tithes under section seven of the Irish Church Act (1869) Amendment Act, 1872, and to pay the proceeds of the sale into an account prescribed under sub-section (2) of section three of the Exchequer and Financial Provisions Act (Northern Ireland), 1923, the said Ministry may sell the same in consideration of such sum as will yield, when invested in such securities issued in respect of any loan raised by the Government of the United Kingdom or the Government of Northern Ireland as the Ministry of Finance may determine, an amount of interest approximately equal to the amount of the rentcharge.

13&14 Geo. 5 c. 4.

Salary of Comptroller and Auditor-General. 12 Geo. 5, c. 2. 16&17 Geo. 5 c. 27.

4.—(1) The annual salary to be paid to the Comptroller and Auditor-General under section twenty-eight of the Exchequer and Audit Act, 1921 (as amended by section five of the Exchequer and Financial Provisions Act (Northern Ireland), 1926) shall rise in each year after the first year of service by a sum of one hundred pounds until the rate of sixteen hundred pounds a year is reached, and thereafter shall be at the rate of sixteen hundred pounds a year; and the said sections shall have effect accordingly.

(2) In the case of the person holding office as Comptroller and Auditor-General at the passing of this Act, sub-section (1) of this section shall have effect as from the first day of October, nineteen hundred and twenty-nine.

Advance out of Government Loans Fund in respect of contribution by Law Society.

5. There shall be issued to the Ministry of Finance by way of advance out of the Government Loans Fund, at such time or times as the said Ministry may determine, such sums as are equal to the amount which may be agreed upon by the said Ministry and the Incorporated

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Law Society of Northern Ireland as the amount to be contributed by the said Society towards the accommodation to be provided for them at the Royal Courts of Justice, Ulster.

The said advance, together with interest thereon at such rate as may be determined by the Ministry of Finance, shall be repaid to the Government Loans Fund by the said Ministry out of such yearly or half-yearly payments as may be received by the said Ministry from the said Society in respect of such contribution as aforesaid.

Short title and construction.

6. This Act may be cited as the Exchequer and Financial Provisions Act (Northern Ireland), 1930, and shall be construed as one with the Exchequer and Financial Provisions Act (Northern Ireland), 1923, and the enactments amending that Act.

CHAPTER 5.

An Act to make further provision for preventing evasion of the requirements for grants, loans and exemptions from rates under section one of the Housing Act (Northern Ireland), 1923, and the enactments amending and extending that section. [30th April, 1930.]

Amendment of ss. 2 and 3 of 20 Geo. 5, c. 18.

1.—(1) Section two of the Housing Act (Northern Ireland), 1929 (which relates to the prevention of evasion of the requirements for the building grant), shall have effect subject to the following amendments:—

(*a*) The words "type or dimensions" shall be substituted for the words "type and dimensions" in sub-sections (1), (2) and (5) of the said section;

(*b*) The following paragraph shall be substituted for the second paragraph of sub-section (4) of the said section:—

"Such local authority or council shall have the like remedies for the recovery of the said debt or charge as the Ministry of

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Home Affairs has under this section for the recovery of the building grant; "

(c) The proviso to sub-section (7) of the said section is hereby repealed.

(2) In section three of the said Act (which provides for the cesser of the rate exemption in certain cases) the words " type or dimensions " shall be substituted for the words " type and dimensions."

Short title and construction.

2. This Act may be cited as the Housing Act (Northern Ireland), 1930, and shall be construed as one with the Housing Act (Northern Ireland), 1929; and the Housing Acts (Northern Ireland), 1890 to 1929, and this Act may be cited together as the Housing Acts (Northern Ireland), 1890 to 1930.

CHAPTER 6.

An Act to consolidate and amend the law relating to personation at parliamentary and local government elections, to amend section ninety-two of the Municipal Corporations Act, 1882, in its application to local government election petitions, and for purposes connected therewith.

[17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Personation at parliamentary and local government elections.

1.—(1) A person who, at a parliamentary election or local government election—

(a) knowingly personates, and falsely assumes to vote in the name of, any other person whose name appears on the register of electors in force for such election (whether that name be that of a person living or dead, or of a fictitious person); or

(b) applies for a ballot paper in the name of some other person, whether that name be that of a person living or dead or of a fictitious person; or

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(*c*) having voted once, applies at the same election for a ballot paper in his own name (except in the case of a person who lawfully so applies at a local government election for the purpose of voting in respect of a company qualification);

shall be guilty of the offence of personation.

(2) A person who commits the offence of personation or who aids, abets, counsels or procures the commission of that offence by any person shall be guilty of felony, and any person convicted thereof on indictment shall be punished by imprisonment for a term not exceeding two years.

(3) References to the offence of personation, and to the offence of aiding, abetting, counselling or procuring the commission of the offence of personation, where they occur in any enactments relating to parliamentary elections or local government elections, shall be construed as references to those offences as defined by this section.

Appointment of agents to detect personation.

2. It shall be lawful for any candidate at a parliamentary election or local government election, previous to the time fixed for taking the poll at such election, to nominate and appoint an agent or agents in his behalf, to attend at each or any of the polling stations appointed for taking the poll at such election, for the purpose of detecting personation. Such candidate shall give notice in writing to the returning officer of the name and address of each person so appointed by him to act as agent; and thereupon it shall be lawful for every such agent to attend, during the time of polling, at the polling station or stations for which he has been so appointed.

Charges of personation.

3.—(1) If, at a parliamentary election or local government election, after a person applies for a ballot paper and before he leaves the polling station, any agent appointed under the foregoing provisions of this Act declares to the presiding officer that he verily believes, and undertakes to prove, that the said person has, by so applying for a ballot paper or by tendering his vote or voting at the polling station, done an act which is an offence of personation as in this Act defined, and when so declaring gives particulars of such act, or declares to the like effect, then in every such case the presiding

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officer shall immediately by word of mouth order any constable to take the said person into his custody.

(2) Nothing in this section shall be construed as authorising a presiding officer to prevent from voting, or reject the vote of, any person who duly answers the questions and takes the oath permitted by statute or election rules to be asked of and to be administered to voters at the time of voting at a parliamentary or local government election, but in that case the presiding officer shall cause the words " protested against for personation " to be placed against the name of any such person who is charged with personation in the marked copy of the register of electors used at the polling station.

Arrest of person charged with personation and subsequent proceedings.

4.—(1) An order given under this Act by a presiding officer to a constable to arrest a person charged with personation shall be sufficient warrant and authority to that constable for so doing ; and subject to the provisions of this Act a charge of personation shall be prosecuted in the same manner as any other charge of felony.

(2) Where an order for the arrest of any person charged with personation has been given as aforesaid, the following provisions shall have effect :—

(*a*) the constable executing the order shall take the person in his custody, at the earliest convenient time, before a justice of the peace acting for the county or county of a city in which the person has been arrested, or, if no such justice can be found within four hours after the closing of the poll, the person shall be discharged from custody ;

(*b*) the justice before whom a person is brought shall liberate such person, on his entering into a recognizance with one sufficient surety, conditioned for his appearance before a resident magistrate, at a time and place to be specified in the recognizance, to answer the charge of personation ;

(*c*) a resident magistrate shall inquire into the charge of personation within the time specified in the recognizance, or on some subsequent day ;

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(*d*) If a person charged with personation fails to appear before a resident magistrate at the time and place fixed for inquiry into the charge, the resident magistrate may issue a warrant for the apprehension of the person so charged, and shall inquire into the charge when the person is brought before him.

(3) Where a resident magistrate is required by this section to inquire into a charge of personation, he shall proceed in the same way and have the same powers as in a case where a person is brought before him on a charge of having committed an indictable offence.

(4) Nothing in this Act shall prevent a prosecution from being instituted apart from this section against a person believed to have been guilty of the offence of personation:

Provided that a person charged with the said offence shall not be brought before any justice of the peace other than a resident magistrate for inquiry into the charge.

Compensation where charge is unjustly made or not prosecuted.

5.—(1) If the resident magistrate who inquires into a charge of personation is satisfied that the person charged is really and in truth the person in whose name he applied for a ballot paper, tendered his vote or voted, and that the charge of personation has been made against him without reasonable or just cause, or if the agent by whom the charge was made (or some one on behalf of the agent) does not appear before the resident magistrate to support the charge, then the resident magistrate shall make an order in writing on the said agent to pay to the person charged, if he shall consent to accept the same, any sum not exceeding ten nor less than five pounds by way of damages and costs.

(2) If a sum ordered to be paid as aforesaid is not paid within twenty-four hours after the order has been made, that sum shall be levied, by warrant under the hand and seal of a justice of the peace acting for the county or county of a city where the person charged with personation was arrested, by distress and sale of the goods and chattels of the agent by whom the charge was made, or, if the same are insufficient, shall be levied in like manner on the goods and chattels of the candidate by

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whom the said agent was appointed to act; and if the said sum is not paid or levied as aforesaid, the person to whom it was ordered to be paid may recover it from the said agent or candidate by civil bill or by action in the High Court:

Provided that if the person charged has declared to the resident magistrate his consent to accept such sum as aforesaid by way of damages and costs, and if the whole amount of such sum has been paid or tendered to that person, then in that case, but not otherwise, the said agent, candidate and every other person shall be released from all actions and proceedings, civil or criminal, for or in respect of the charge against, and the apprehension of, the person charged.

Amendment of law as to powers of poll clerks. 35 & 36 Vict., c. 33.

6. So much of rule fifty in Part I. of the First Schedule to the Ballot Act, 1872, as prevents the presiding officer of a polling station at a parliamentary election from empowering the clerks appointed to assist him to order the arrest or exclusion or ejection from the polling station of any person, shall cease to have effect.

Amendment of law as to court for trial of local government election petitions. 45 & 46 Vict., c. 50.

7. Sub-section (2) of section ninety-two of the Municipal Corporations Act, 1882, shall, in its application to election petitions for questioning a local government election, have effect as if for the words "if he is of less than fifteen years' standing" there were substituted the words "if he is of less than ten years' standing."

Interpretation and repeal.

8.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Parliamentary election" means a contested election of a member or members to serve in the Parliament of Northern Ireland for any constituency:

"Local government election" means an election of aldermen, councillors, guardians or town commissioners for an electoral division or ward which is regulated by rules made under article five of the schedule to the Local Government (Application of Enactments) Order, 1898:

"Register of electors" means the register of persons entitled to vote at a parliamentary election

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or local government election, as the case may require:

"Returning officer" includes a deputy returning officer:

"Presiding officer" includes the returning officer, where the latter presides at a polling station:

"Constable" includes any peace officer:

"Resident magistrate" means a magistrate appointed under the Constabulary (Ireland) Act, 1836, as amended by section six of the Constabulary Act (Northern Ireland), 1922.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(3) The enactments set out in the Schedule to this Act are hereby repealed, as respects elections to which this Act applies, to the extent specified in the third column of that Schedule.

Short title.

9. This Act may be cited as the Parliamentary and Local Government Elections Act (Northern Ireland), 1930.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter, or Date of Order.	Short Title.	Extent of Repeal.
13 & 14 Vict., c. 69.	The Representation of the People (Ireland) Act, 1850.	Sections ninety to ninety-six.
35 & 36 Vict., c. 33.	The Ballot Act, 1872.	Section twenty-four so far as unrepealed. In rule 50 in Part I. of the First Schedule, the words "except ordering the arrest, exclusion, or ejection from the polling station of any person."

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ENACTMENTS REPEALED—*Continued.* A.D. 1930.

Session and Chapter, or Date of Order.	Short Title.	Extent of Repeal.
22nd December, 1898.	Order of the Lord Lieutenant in the Privy Council of Ireland entitled "the Local Government (Application of Enactments) Order, 1898."	So much of article 5 of the schedule to the Order as provides for the application to local government elections of section twenty-four of the Ballot Act, 1872.

CHAPTER 7.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, and to appropriate the Supplies granted in this Session of Parliament. [17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows:—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £6,561,550 out of the Consolidated Fund.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, the sum of six million, five hundred and sixty-one thousand, five hundred and fifty pounds.

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A.D. 1930.

Power for the Ministry of Finance to borrow.

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole three million, five hundred thousand pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

40 & 41 Vict., c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of grants.

3. The sums granted by this Act and the other Act mentioned in Schedule (A) of this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said Schedule, in the aggregate to the sum of eight million, nine hundred and fifty-nine thousand, seven hundred and seventy pounds, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the several services and purposes expressed in Schedule (B) of this Act.

In addition to the sums granted as aforesaid out of the said Consolidated Fund, there may be applied as appropriations in aid of the grants for the several services and purposes specified in Schedule (B) of this Act the sums respectively set forth in the last column of the said Schedule (B), and any of the sums set forth in that column may be so applied, notwithstanding that some part thereof may be derived from sums granted by Act

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of Parliament for other services specified in the said Schedule (B). A.D. 1930.

Declaration required in certain cases before receipt of sums appropriated.

4.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for civil or police non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Ministry of Finance before one of the persons prescribed by the warrant:

Provided that the Ministry of Finance may dispense with the production of a declaration under this section in respect of any payment if such a declaration has been subscribed within a period of three calendar months preceding the date of the payment.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

Short title.

5. This Act may be cited as the Appropriation Act (Northern Ireland), 1930.

SCHEDULE (A). Section 3.

GRANTS OUT OF THE CONSOLIDATED FUND.

	£
For the service of the year ended on the 31st day of March, 1930 :—	
Under Act 20 Geo. 5; c. 1 (1930)*	78,320
For the service of the year ending on the 31st day of March, 1931 :—	
Under Act 20 Geo. 5, c. 1 (1930)*	2,319,900
Under this Act	6,561,550
TOTAL	£8,959,770

SCHEDULE (B). Section 3.

PART I.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned for the year ended on the 31st day of March, 1930, viz. :—

	Sums Granted.	Appropriations in Aid.
No. CLASS II.	£	£
1. For the salaries and expenses of the Ministry of Finance, including the cost of the administration of revenue services, valuation, registration,		

*Now cited as 20 & 21 Geo. 5, c. 1.

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No.	Class II—*continued.*	Sums Granted.	Appropriations in Aid.
		£	£
	loan services, public works, charity funds, Stationery Office, teachers' pensions, Civil Service Commission, Ulster Savings Certificates, Loans Guarantee Act (Northern Ireland) 1922, Land Law Acts, collection of land purchase annuities and tithe rent charges, Intoxicating Liquor Acts (Northern Ireland), 1923, 1925 and 1927, the Census of Northern Ireland, 1926, Freight Rebates Fund, and sundry agency services, and for a grant in aid ..	9,655	2,000
3.	For expenditure in respect of public works and buildings	10	4,505
	CLASS III.		
1.	For the salaries and expenses of the Ministry of Home Affairs ..	815	—
7.	For grants to local authorities in respect of health, housing, etc., and in relief of local rates ..	66,000	—
	CLASS IV.		
3.	For the contributions to the Unemployment Fund under the Unemployment Insurance Acts, and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926	10	—
	CLASS VI.		
1.	For the salaries and expenses of the Ministry of Agriculture	440	—
	CLASS VII.		
1.	For the salaries and expenses of the Ministry of Commerce	1,390	—

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PART II. A.D. 1930.

SCHEDULE of sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1931, viz.:—

No.		Sums Granted.	Appropriations in Aid.
	CLASS I.	£	£
1.	For the salaries and expenses of the Senate and of the House of Commons, including a grant in aid ..	28,856	400
2.	For the salaries of the Department of the Prime Minister and the salaries of the Cabinet Secretariat, including the expenses of the Privy Council Office	12,482	—
3.	For a grant in aid of the Government Hospitality Fund	750	—
	CLASS II.		
1.	For the salaries and expenses of the Ministry of Finance, including the cost of the administration of revenue services, valuation, registration, loan services, public works, charity funds, Stationery Office, teachers' pensions, Civil Service Commission, Ulster Savings Certificates, Loans Guarantee Acts (Northern Ireland), 1922 to 1929, Land Law Acts, collection of land purchase annuities and tithe rent charges, Intoxicating Liquor Acts (Northern Ireland), 1923, 1925 and 1927, Freight Rebates Fund, and sundry agency services, and for a grant in aid ..	158,986	21,639
2.	For the expenses of the Department of the Comptroller and Auditor-General	4,483	197
3.	For expenditure in respect of public works and buildings, including expenses of a dredger and auxiliary craft	426,173	88,020
4.	For stationery, printing, paper, binding, books and office supplies for the public service and for the Houses of Parliament, and for the production of the Belfast Gazette	2,398	26,472
5.	For superannuation, compensation, compassionate and additional allowances and gratuities under the		

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No.		Sums Granted.	Appropriations in Aid.
	CLASS II—*continued.*	£	£
	Superannuation Acts (Northern Ireland), 1921 to 1925; pensions and gratuities under the Civil Pensions Act (Northern Ireland), 1925, the Land Purchase (Ireland) Act, 1891, and the Church Temporalities Fund Act (Northern Ireland), 1922; and non-statutory gratuities awarded by the Ministry of Finance; and in respect of workmen's compensation insurance	4,320	—
6.	For the salaries, allowances and expenses of the County Court service and of Resident Magistrates, and sundry miscellaneous legal expenses, including certain grants in aid ..	24,427	3,910
7.	For the expenses in respect of secret services	2,500	—
8.	For the salaries and expenses of the Public Record Office and the cost of the administration of the Ancient Monuments Act (Northern Ireland), 1926.	4,056	150
	CLASS III.		
1.	For the salaries and expenses of the Ministry of Home Affairs ..	59,159	12,005
2.	For the salaries and expenses of the Royal Ulster Constabulary, including police women	762,367	88,365
3.	For the salaries and expenses of the Special Constabulary	61,178	15,700
4.	For the expenses of criminal prosecutions and other law charges, including the expenses of civil litigation and grants in relief of certain expenses payable by statute out of local rates	17,686	125
5.	For the expenses of prisons and the maintenance of criminal lunatics ..	43,941	2,705
6.	For the expenses of the Borstal Institution, reformatory and industrial schools, and places of detention ..	14,648	10,520
7.	For grants to local authorities in respect of health, housing, etc., and in relief of local rates	1,402,526	—
	CLASS IV.		
1.	For the salaries and certain expenses of the Ministry of Labour ..	116,974	158,070

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No.		Sums Granted.	Appropriations in Aid.
	CLASS IV.—*continued*..	£	£
2.	For the contributions and grants in aid of the cost of benefits and expenses of administration under the National Health Insurance Acts ..	167,400	—
3.	For the contributions to the Unemployment Fund under the Unemployment Insurance Acts (Northern Ireland), 1920 to 1930, and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Acts (Northern Ireland), 1926 and 1929	1,473,000	—
4.	For grants to local authorities, etc., for assistance in carrying out approved schemes to provide employment; for expenses in connection with Training Centres; and for advances to workpeople for fares under the Labour Exchanges Act, 1909, as amended by the Unemployment Insurance Acts (Northern Ireland), 1920 to 1930.	109,010	3,028
5.	For the sum payable to the Ministry of Finance Pensions Account in accordance with the provisions of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1929	315,000	—
6.	For old age pensions under the Old Age Pensions Acts (Northern Ireland), 1908 to 1927, and under the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1925 and 1929, and for pensions under the Blind Persons Act, 1920	1,369,700	300
	CLASS V.		
1.	For the salaries and expenses of the Ministry of Education	72,327	—
2.	For the expenses of educational services, including a grant in aid ..	1,944,331	13,490
	CLASS VI.		
1.	For the salaries and expenses of the Ministry of Agriculture	75,756	50
2.	For the expenses of the Ministry of Agriculture in respect of agricultural education and research, im-		

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No.		Sums Granted.	Appropriations in Aid.
	CLASS VI—*continued.*		
	provement of live stock, agricultural development, afforestation and diseases of animals, including sundry grants in aid	£ 120,808	£ 9,661
3.	For the salaries and expenses of the Ministry of Agriculture in respect of Ordnance Survey and Geological Survey	8,289	1,300
	CLASS VII.		
1.	For the salaries and expenses of the Ministry of Commerce	22,313	1,318
2.	For the expenses of the Ministry of Commerce in respect of harbours and railway, fishery and commercial services, including certain grants in aid	55,606	2,385

CHAPTER 8.

An Act to raise to one million seven hundred and fifty thousand pounds the limit on the amount which may be outstanding at any time in respect of the advances by the Ministry of Finance for discharging the liabilities of the current account of the Northern Irish Unemployment Fund.

[17th June, 1930].

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Extension of limit on outstanding advances under s. 5 of 16 & 17 Geo. 5, c. 1.

1. The limit on the amount which may be outstanding at any time in respect of the advances to be made by the Ministry of Finance under section five of the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926, for the purpose of discharging the liabilities of the current account of the Northern Irish unemployment fund, shall be raised to one million seven hundred and fifty thousand pounds.

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Short title and citation of Acts.

2.—(1) This Act may be cited as the Unemployment Fund Act (Northern Ireland), 1930.

(2) The Unemployment Insurance (Agreement) Act (Northern Ireland), 1926, the Unemployment Insurance (Agreement) Act (Northern Ireland), 1929, and this Act shall be included among the Acts which may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1930.

CHAPTER 9.

An Act to make further provision for grants in aid of the repayment of certain loans to rural district councils for the purposes of the Labourers Acts (Northern Ireland), 1883 to 1927, and to extend the duration of the said Acts. [17th June, 1930.]

Parliamentary grant in aid of repayment of loans for certain schemes.

1.—(1) There shall be paid in each financial year out of moneys provided by Parliament to the councils of the several rural districts, by whom loans have been borrowed in pursuance of schemes approved for the provision of cottages and allotments under the Labourers Acts (Northern Ireland), 1883 to 1927, and being schemes to which this Act applies, the like sums as are payable under sub-section (2A) of section one of the Labourers Act (Northern Ireland), 1923 (as amended by the Labourers' Cottages (Loans) Act (Northern Ireland), 1927) in the case of loans borrowed by councils of rural districts in pursuance of new schemes as defined in the said sub-section.

13 & 14 Geo. 5 c. 23.

17 Geo. 5, c. 4.

(2) This Act applies to schemes approved as aforesaid in the following cases:—

(*a*) In a case where the petition for confirmation of the scheme is lodged with the Ministry of Home Affairs on or after the first day of April, nineteen hundred and thirty, but not later than the thirty-first day of March, nineteen hundred and thirty-five;

(*b*) In a case where the petition for confirmation of the scheme was lodged with the Ministry of Home Affairs before the first day of April,

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nineteen hundred and twenty-seven, and the loan is required by reason of section sixteen of the Labourers (Ireland) Act, 1906, having ceased to be in force in Northern Ireland.

6 Edw. 7, c. 37.

(3) In any such case as is mentioned in paragraph (*b*) of sub-section (2) of this section there shall be paid out of moneys provided by Parliament, in addition to the sums payable under sub-section (1) of this section, such sums as the Ministry of Finance, after consultation with the Ministry of Home Affairs, may certify to be necessary in order that such part of the annual loan charge of the council as is required to be met out of the poor rate shall not be greater than the part thereof which would have been required to be so met, in connection with the repayment of an advance of an equal amount under section sixteen of the Labourers (Ireland) Act, 1906.

Duration of Acts.

2. The Labourers Acts (Northern Ireland), 1883 to 1927, as amended by this Act, shall continue in force until the thirty-first day of December, nineteen hundred and thirty-five, and shall then expire unless further continued, and so much of the Expiring Laws Continuance Act (Northern Ireland), 1929, as limits the duration of the said Labourers Acts is hereby repealed.

20 Geo. 5, c. 11.

Short title and construction.

3. This Act may be cited as the Labourers Act (Northern Ireland), 1930, and shall be construed as one with the Labourers Acts (Northern Ireland), 1883 to 1927; and those Acts and this Act may be cited together as the Labourers Acts (Northern Ireland), 1883 to 1930.

CHAPTER 10.

An Act to amend section forty-five of the Railway and Canal Traffic Act, 1888, in its application to the abandonment of unnecessary canals in Northern Ireland, and for purposes connected therewith. [17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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A.D. 1930.

Amendment of s. 45 of 51 & 52 Vict., c. 25, as to abandonment of unnecessary canals.

1. Section forty-five of the Railway and Canal Traffic Act 1888 (in this Act referred to as "the principal enactment") shall, in its application to the abandonment of unnecessary canals in Northern Ireland, have effect subject to the following amendments:—

(*a*) A warrant of abandonment shall not be granted unless the proprietors of the canal have given security, to such amount and in such manner as the Ministry of Commerce may require, for the making of compensation to all persons who may be determined under this Act to be entitled to compensation by reason of the abandonment of the canal;

(*b*) An order of the Ministry of Commerce under sub-section (1) of the principal enactment (in this Act referred to as "an order of release") may make provision for all or any of the following matters, in addition to the matters mentioned in the said sub-section:—

(i) For releasing the canal, or any land held by the proprietors thereof (whether in connection with the canal undertaking or not), from any statutory or other liability to forfeiture or reverter or other similar liability attaching thereto as against the proprietors in consequence of the abandonment of the canal;

(ii) For vesting, with the consent of the proprietors and of the person, body or department in whom it is proposed to vest, the canal or any part thereof, or any land held by the proprietors in connection therewith, in such person, body of persons, or government department and upon such conditions, as may be specified in the order of release;

(iii) For any other matters which may appear to the Ministry of Commerce to be necessary or proper for carrying the order of release into effect;

(*c*) An order of release shall not be made unless the provisions of this Act as to the assessment of compensation have been complied with, and any compensation awarded under those

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provisions has been made to the persons entitled thereto or, if any such person dies, refuses to accept the compensation to which he is entitled, or cannot be ascertained, or any other like difficulty arises, has been paid or transferred to the Ministry of Commerce to be held on behalf of such person or his representatives in accordance with regulations to be made under sub-section (8) of the principal enactment.

(*d*) Paragraph (*d*) of sub-section (2) of the principal enactment is hereby repealed;

(*e*) In the principal enactment and in this Act references to a canal, in the case of a canal which is not wholly situate in Northern Ireland, shall be construed as referring to so much of the canal as is so situate.

Effect of proceedings under the principal enactment.

2.—(1) In the case of an unnecessary canal, a warrant of abandonment may be granted and an order of release may be made, and shall have full effect, under the principal enactment, notwithstanding any provision in any local or personal Act passed before the passing of this Act (whether before or after the commencement of the principal enactment).

(2) Neither the application of the proprietors for a warrant under the principal enactment authorising the abandonment of an unnecessary canal, nor the issue of such warrant by the Ministry of Commerce, nor anything done in connection with the application for, or issue of, such warrant and before the making of an order of release, shall be deemed, for the purposes of any local or personal Act relating to such canal or to the proprietors thereof, to be the doing of an act or thing giving rise to the forfeiture by the proprietors, or the reverter, of the canal or any part thereof, or of any land held by the proprietors (whether in connection with the canal undertaking or not), or affecting the title of the proprietors to the same, or giving rise to any similar liability or consequence as against the proprietors.

Provisions as to compensation.

3. Compensation shall be made, under and subject to the following provisions of this section, to all persons entitled to compensation by reason of the abandonment

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of an unnecessary canal under the authority of a warrant in pursuance of the principal enactment, that is to say :—

(*a*) The amount of compensation payable to any such person shall in default of agreement be assessed by an arbitrator to be agreed upon by the parties, or in default of such agreement to be appointed by the Ministry of Commerce ;

(*b*) The expenses of the arbitration shall be defrayed by the proprietors of the canal, except so far as the Ministry of Commerce may otherwise direct ;

(*c*) The costs of the proprietors of the canal and the claimants in the arbitration other than an arbitration in which the arbitrator has entered upon his duties before the passing of this Act, shall be in the discretion of the arbitrator, who may direct to and by whom and in what manner those costs or any part thereof shall be paid, and the arbitrator may himself tax the amount of costs ordered to be paid, or may direct in what manner they are to be taxed.

(*d*) The arbitrator shall have power, with the consent of the proprietors of the canal, and of any person entitled to compensation, to award that the payment of the whole or part of the compensation to which that person is entitled shall be discharged by the conveyance to him of any land held by the proprietors for the purposes of the canal ;

(*e*) The Ministry of Commerce may make regulations under sub-section (8) of the principal enactment for the purpose of giving effect to the provisions of this section.

Transfer and vesting of land held in connection with an unnecessary canal.

4.—(1) Where, by an order of release or by the award of an arbitrator under this Act, any land belonging to the proprietors of an unnecessary canal is directed to be vested in, or is awarded to, any person, body of persons or government department, all the estate and interest of the proprietors in such land shall, as from the certified date, be transferred to and vest by virtue of this Act in that person, body or department.

For the purposes of this section, the certified date shall be such date as may be specified in a certificate

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under the seal of the Ministry of Commerce, and the certificate shall be deemed to be part of the order of release or award, as the case may be.

(2) A copy, certified under the seal of the Ministry of Commerce, of so much of an order of release or award as relates to any land transferred and vested as aforesaid, or the title to such land created by the order of release or award (if the same relates to land the ownership of which is registered under the Local Registration of Title (Ireland) Act, 1891), shall forthwith upon production of such certified copy be registered in the proper office for the registration of deeds or titles, as the case requires.

54 & 55 Vict., c. 66.

(3) No stamp duty shall be charged on an order of release, award of an arbitrator or certified copy made or issued in pursuance of this Act.

Provisions as to existing proceedings and awards.

5.—(1) Any agreement made before the sixteenth day of April, nineteen hundred and thirty, in any legal proceedings in connection with a proposal to grant a warrant authorising the abandonment of an unnecessary canal under the principal enactment, and any regulations made, inquiry held or other proceedings taken by, or under the direction of, the Ministry of Commerce before the said day in connection with any such proposal, shall be deemed to have been duly made, held or taken under the authority of the principal enactment as amended by this Act.

Any award made by an arbitrator appointed before the said day under regulations of the Ministry of Commerce to determine compensation under paragraph (*d*) of sub-section (2) of the principal enactment, as originally enacted, shall have the like effect as if made under this Act.

(2) Where, in pursuance of an award to which sub-section (1) of this section applies, compensation is payable to any persons by the proprietors of an unnecessary canal by reason of the abandonment thereof, the order of release made in respect of the canal may provide, if the Ministry of Finance consents, that the whole or part of any sum payable by the said proprietors to that Ministry under a local or personal Act passed

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before the passing of this Act shall, instead of being paid to the Ministry of Finance, be applied in payment of compensation as aforesaid. A.D. 1930.

6. This Act may be cited as the Railway and Canal Traffic (Amendment) Act (Northern Ireland), 1930, and shall be construed as one with the Railway and Canal Traffic Act, 1888, as that Act applies in Northern Ireland. Short title and construction.

CHAPTER 11.

An Act to alter certain Duties of Excise, the rates of Estate Duty, and the amount of the Fee payable to the Exchequer of Northern Ireland for certain motor car driving licences, and to make further provision in connection with Finance.

[17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Duties on licences for mechanically-propelled vehicles.

1.—(1) As from the first day of January, nineteen hundred and thirty-one, section thirteen of the Finance Act, 1920, which imposes duties of excise on licences for mechanically-propelled vehicles, shall, as amended by subsequent enactments, have effect as if the rates of duties set out in the First Schedule to this Act were substituted for the rates set out in paragraphs 1, 3, 4 and 5 of the Second Schedule to the said Finance Act, and as if paragraph 7 set out in the First Schedule to this Act were inserted at the end of the said Second Schedule. Alteration of duties on licences for certain classes of mechanically propelled vehicles. 10 & 11 Geo. 5, c. 18.

(2) Section one of the Finance Act (Northern Ireland), 1925, is hereby repealed as from the said first day of January. 15 & 16 Geo. 5, c. 30.

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A.D. 1930.

Licence duty on articulated motor vehicles.

2.—(1) Where a mechanically-propelled vehicle used for drawing a trailer has the trailer attached to it by partial super-imposition, the vehicle and trailer shall, for the purpose of determining the rate of the licence duty chargeable under the Second Schedule to the Finance Act, 1920, be treated as if they together formed a single vehicle and that vehicle were a vehicle used for drawing a trailer.

(2) This section shall come into operation on the first day of January, nineteen hundred and thirty-one.

Licence duty on vehicles used for haulage of lifeboats.

3. No licence duty shall be payable under section thirteen of the Finance Act, 1920, in respect of mechanically-propelled vehicles used for no purpose other than the haulage of lifeboats and the conveyance of the necessary gear of the lifeboats which are being hauled.

Estate Duty.

Amended rates of estate duty.

4.—(1) The scale set out in the Second Schedule to this Act shall in the case of persons dying after the commencement of this section be substituted for the scale set out in the Schedule to the Finance (Estate Duty) Act (Northern Ireland), 1925, as the scale of rates of estate duty:

15 & 16 Geo. 5, c. 9.

Provided that, where an interest in expectancy within the meaning of Part I. of the Finance Act, 1894, in any property has, before the twenty-eighth day of May, nineteen hundred and thirty, been bonâ fide sold or mortgaged for full consideration in money or money's worth, then no other duty on that property shall be payable by the purchaser or mortgagee when the interest falls into possession than would have been payable if this Act had not passed, and in the case of a mortgage any higher duty payable by the mortgagor shall rank as a charge subsequent to that of the mortgagee.

57 & 58 Vict., c. 30.

(2) This section shall come into operation on the date which is declared by the Governor of Northern Ireland in Council to be the date on and from which, by virtue of legislation passed by the Parliament of the United Kingdom, a new scale is substituted for the scale set out in the Fourth Schedule to the Finance Act, 1925, as the scale of rates at which estate duty is payable in Great Britain.

15 & 16 Geo. 5, c. 36.

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A.D. 1930.

Fee for licence to drive a motor car.

Increase of fee for licence to drive certain motor cars. 16 & 17 Geo. 5, c. 31.

5.—(1) Ten shillings shall be substituted for five shillings as the amount of the fee to be paid under section three of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, for a licence to drive a motor car:

Provided that this section shall not apply in the case of a licence limited to driving motor cars being vehicles which are within any of the descriptions set forth in paragraphs 2, 3, 4 and 5 of the Second Schedule to the Finance Act, 1920.

(2) This section shall come into operation on the first day of January, nineteen hundred and thirty-one.

Rating Relief Suspense Account.

Transfer of sums from Rating Relief Suspense Account to Exchequer.

6. There shall, in accordance with the directions of the Ministry of Finance, be transferred to the Exchequer of Northern Ireland from the Rating Relief Suspense Account—

(*a*) in the financial year ending on the thirty-first day of March, nineteen hundred and thirty-one, such sum as the said Ministry may determine, not exceeding four hundred and twenty thousand pounds;

(*b*) in the next following financial year the balance (if any) remaining in the said account.

Supplemental.

Short title and construction.

7.—(1) This Act may be cited as the Finance Act (Northern Ireland), 1930.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

FIRST SCHEDULE.

Section 1.

AMENDED RATES OF DUTIES ON CERTAIN MECHANICALLY-PROPELLED VEHICLES.

Description of Vehicle.	*Rate of Duty.*
1. Cycles (including motor scooters and cycles with an attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight unladen:—	
Bicycles—	
Not exceeding 224 lbs. in weight unladen	£2
Exceeding 224 lbs. in weight unladen	£3

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A.D. 1930.

Description of Vehicle.	*Rate of Duty*
Bicycles, if used for drawing a trailer or side-car, an additional sum of £1.	
Tricycles	£4

3. Vehicles being hackney carriages as defined in section four of the Customs and Inland Revenue Act, 1888 :—

Tramcars	15s.
Other vehicles—	
Having a seating capacity for—	
Not more than 4 persons	£10
More than 4, but not more than 6 persons ..	£12
More than 6, but not more than 8 persons ..	£20
More than 8 persons ..	£2 10s. for each person

For the purposes of this paragraph the number of persons mentioned does not include the driver of the vehicle and the seating capacity of a vehicle shall be determined in accordance with regulations under section nineteen of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926, if the vehicle is a public service vehicle within the meaning of Part II. of that Act, and in any other case in accordance with provisions to be made by regulations under section twelve of the Roads Act, 1920.

4.—(1) Locomotive ploughing engines, tractors, agricultural tractors, and other agricultural engines, not being engines or tractors used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements, or supplies of fuel or water required for the purposes of the vehicle or for agricultural purposes .. 5s.

(2) Tractors, agricultural tractors, and agricultural engines, other than such tractors or engines in respect of which a duty of 5s. is chargeable, used for haulage solely in connection with agriculture—

Not exceeding 5 tons in weight unladen	£6
Exceeding 5 tons in weight unladen	£10

(3) Vehicles of the following description, other than such vehicles in respect of which duty is chargeable under sub-division (1) or sub-division (2) of this paragraph, that is to say, vehicles which are constructed for haulage solely, and not for the purpose of carrying or having super-imposed upon them any load except such as is necessary for their propulsion or equipment and which are not used for that purpose—

Not exceeding 2 tons in weight unladen	£21
Exceeding 2 tons but not exceeding 6 tons in weight unladen	£30
Exceeding 6 tons but not exceeding 8 tons in weight unladen	£45
Exceeding 8 tons in weight unladen	£60

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	Rate of Duty.
5. Vehicles (including tricycles weighing more than 8 cwt. unladen) constructed or adapted for use and used for the conveyance of goods or burden of any description whether in the course of trade or otherwise :—	
Being vehicles which are electrically-propelled and not exceeding 25 cwt. in weight unladen	£6
Being vehicles other than such electrically-propelled vehicles as aforesaid—	
Not exceeding 12 cwt. in weight unladen ..	£10
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	£16
Exceeding 1 ton but not exceeding 1 ton 10 cwt. in weight unladen	£24
Exceeding 1 ton 10 cwt. but not exceeding 2 tons in weight unladen	£30
Exceeding 2 tons but not exceeding 2 tons 10 cwt. in weight unladen	£38
Exceeding 2 tons 10 cwt. but not exceeding 3 tons in weight unladen	£45
Exceeding 3 tons but not exceeding 4 tons in weight unladen	£60
Exceeding 4 tons but not exceeding 5 tons in weight unladen	£80
Exceeding 5 tons in weight unladen ..	£100
With an additional duty, in any case, if used for drawing a trailer, of £10.	

7. A vehicle shall not be deemed to be an electrically-propelled vehicle within the meaning of this Schedule unless the electrical motive power is derived either from a source external to the vehicle or from an electrical storage battery which is not connected to any source of power when the vehicle is in motion.

SECOND SCHEDULE.

Section 4.

SCALE OF RATES OF ESTATE DUTY.

Principal Value of Estate.					*Rate per cent. of Duty.*
Exceeding	£100	and not exceeding	£500	..	1
,,	500	,, ,,	1,000	..	2
,,	1,000	,, ,,	5,000	..	3
,,	5,000	,, ,,	10,000	..	4
,,	10,000	,, ,,	12,500	..	5
,,	12,500	,, ,,	15,000	..	6
,,	15,000	,, ,,	18,000	..	7
,,	18,000	,, ,,	21,000	..	8
,,	21,000	,, ,,	25,000	..	9
,,	25,000	,, ,,	30,000	..	10
,,	30,000	,, ,,	35,000	..	11
,,	35,000	,, ,,	40,000	..	12

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SCALE OF RATES OF ESTATE DUTY.—*Continued.*

Principal Value of Estate.—Continued.						*Rate per cent. of Duty.*
Exceeding	£40,000	and not exceeding		£45,000	..	13
,,	45,000	,,	,,	50,000	..	14
,,	50,000	,,	,,	55,000	..	15
,,	55,000	,,	,,	65,000	..	16
,,	65,000	,,	,,	75,000	..	17
,,	75,000	,,	,,	85,000	..	18
,,	85,000	,,	,,	100,000	..	19
,,	100,000	,,	,,	120,000	..	20
,,	120,000	,,	,,	150,000	..	22
,,	150,000	,,	,,	200,000	..	24
,,	200,000	,,	,,	250,000	..	26
,,	250,000	,,	,,	300,000	..	28
,,	300,000	,,	,,	400,000	..	30
,,	400,000	,,	,,	500,000	..	32
,,	500,000	,,	,,	600,000	..	34
,,	600,000	,,	,,	800,000	..	36
,,	800,000	,,	,,	1,000,000	..	38
,,	1,000,000	,,	,,	1,250,000	..	40
,,	1,250,000	,,	,,	1,500,000	..	42
,,	1,500,000	,,	,,	2,000,000	..	45
,,	2,000,000	,,	,,	—	..	50

CHAPTER 12.

An Act to amend the Companies Acts, 1908 to 1917, and for purposes connected therewith.

[17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland, in this present Parliament assembled, and by the authority of the same as follows :—

Restriction on registration of companies by certain names.

1.—(1) A company shall not, except with the consent of the Ministry of Commerce, be registered by a name which contains the word "Municipal" or which in the opinion of the registrar suggests, or is calculated to suggest, connection with any municipality or other local authority.

(2) No company shall be registered by a name which contains the word "Co-operative" except with the consent of the Ministry of Commerce.

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(3) No company, other than an association which in pursuance of section twenty of the principal Act is to be registered without the addition of the word "Limited" to its name, shall be registered by a name which contains the words "Chamber of Commerce."

If in the case of a company which has been registered by a name containing the words "Chamber of Commerce" the licence granted under the said section twenty is revoked by the Ministry of Commerce, the name of the company shall, within a period of six weeks from the date of the revocation or such longer period as the Ministry may think fit to allow, be changed to a name which does not contain the words "Chamber of Commerce," and if the name of the company is not so changed the company shall be liable to a fine not exceeding fifty pounds for every day during which the default continues.

In any such case the notice to be given by the Ministry of Commerce under sub-section (4) of the said section of their intention to revoke the said licence shall include a statement of the effect of the last foregoing paragraph of this sub-section.

(4) No company shall be registered by a name which contains the words "building society."

Declaration as to operation of s. 9 of principal Act.

2. For removing doubts it is hereby declared that a company has power under section nine of the principal Act to alter the provisions of its memorandum by including among its objects a power to sell or dispose of the whole or any part of the undertaking of the company and a power to amalgamate with any other company or body of persons.

Alterations in memorandum or articles increasing liability to contribute to share capital not to bind existing members without consent.

3. Notwithstanding anything in the memorandum or articles of a company, no member of the company shall, subject as hereinafter provided, be bound by any alteration made in the memorandum or articles after the date on which he became a member if and so far as the alteration requires him to take or subscribe for more shares than the number held by him at the date on which the alteration is made or in any way increases his liability as at that date to contribute to the share capital of or otherwise to pay money to the company:

Provided that this section shall not apply in any case where the member agrees in writing, either before or after the alteration is made, to be bound thereby.

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Amendment of s. 18 of principal Act.

4. Section eighteen of the principal Act (which requires copies of the memorandum and articles of a company to be given to the members) shall be amended as follows:—

(*a*) at the end of sub-section (1) there shall be inserted the words "and also, on payment of "such sum not exceeding the published price "thereof as the company may require, a copy "of any Act of Parliament which alters the "memorandum."

(*b*) at the end of sub-section (2) there shall be inserted the words "and every officer of the "company who is in default shall be liable to "the like penalty":

(*c*) after sub-section (2) there shall be inserted the following new sub-section:

"(3) Where any alteration is made in the memorandum of a company, every copy of the memorandum issued after the date of the alteration shall be in accordance with the alteration.

"If, where any such alteration has been made, the company at any time after the date of the alteration, issues any copies of the memorandum which are not in accordance with the alteration, it shall be liable to a fine not exceeding one pound for each copy so issued, and every officer of the company who is in default shall be liable to the like penalty."

Index of members of company.

5.—(1) Every company having more than fifty members shall, unless the register of members is in such a form as to constitute in itself an index, keep an index of the names of the members of the company for the time being and shall, within fourteen days after the date on which any alteration is made in the register of the members, make any necessary alteration in the index.

(2) The index (which may be in the form of a card index) shall in respect of each member contain a sufficient indication to enable the account of that member in the register to be readily found.

(3) Sub-section (1) of section thirty of the principal Act (which relates to the inspection of the register of members) shall have effect as if the index required to be

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kept by this section were a part of the register of members, and sub-section (3) of the said section thirty shall apply accordingly.

(4) If default is made in complying with this section, the company and every officer of the company who is in default shall be liable to a default fine.

Amendment of s. 26 of principal Act.

6. Section twenty-six of the principal Act (which relates to the annual list of the members of a company and the summary to be contained in that list) shall be amended as follows:—

(*a*) In sub-section (1) for the words " make a list " there shall be substituted the words " make a " return containing a list " ;

(*b*) in sub-section (2) before the words " must contain " there shall be inserted the words " if the " names therein are not arranged in alpha- " betical order, must have annexed to it an " index sufficient to enable the name of any " person in the list to be readily found.

" The return must also state the address of the " registered office of the company and " and the words " or stock " and the words " or amount " of stock " shall be omitted therefrom and the following shall be substituted for paragraph (*l*):

" (*l*) all such particulars with respect to the persons who at the date of the return are the directors of the company as are under section seventy-five of this Act required to be contained with respect to directors in the register of the directors of a company; and "

Provided that the inclusion in the annual return of a statement as to the address of the registered office of the company shall not be taken to be in satisfaction of the obligation of a company under section sixty-two of the principal Act to give notice to the registrar of companies of the situation of its registered office and of any change therein;

(*c*) in paragraph (*m*) of sub-section (2) for the words " debt due from " there shall be substituted the words " the indebtedness of " ;

(*d*) the following shall be substituted for sub-section (3):—

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"(3) Except where the company is a private company, the annual return shall include a written copy, certified by a director or the manager or secretary of the company to be a true copy of the last balance sheet which has been audited by the company's auditors (including every document required by law to be annexed thereto) together with a copy of the report of the auditors thereon (certified as aforesaid), and if any such balance sheet is in a foreign language there shall also be annexed to it a translation thereof in English, certified in the prescribed manner to be a correct translation:

Provided that, if the said last balance sheet did not comply with the requirements of the law as in force at the date of the audit with respect to the form of balance sheets there shall be made such additions to and corrections in the said copy as would have been required to be made in the said balance sheet in order to make it comply with the said requirements, and the fact that the said copy has been so amended shall be stated thereon";

(*e*) in sub-section (4) the words "annual return" shall be substituted for the words "above list and summary," the words "fourteen days" shall be substituted for the words "seven days," and after the words "signed by" there shall be inserted the words "a director or by";

(*f*) in sub-section (5) for the words "and manager" there shall be substituted the words "manager, secretary or other officer";

(*g*) except as regards sub-sections (3) and (4) the expression "director" in the said section as amended by this section shall include any person in accordance with whose directions or instructions the directors of the company are accustomed to act;

Annual return to be made by company not having share capital.

7.—(1) Every company not having a share capital shall once at least in every calendar year make a return stating—

(*a*) the address of the registered office of the company;—

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(*b*) all such particulars with respect to the persons who at the date of the return are the directors of the company as are under section seventy-five of the principal Act required to be contained with respect to directors in the register of directors of a company.

(2) There shall be annexed to the return a statement containing particulars of the total amount of the indebtedness of the company in respect of all mortgages and charges which are required to be registered with the registrar of companies under the principal Act, or which would have been required so to be registered if created after the first day of July, nineteen hundred and eight.

(3) The inclusion in the return of a statement as to the address of the registered office of the company shall not be taken to be in satisfaction of the obligation of the company under section sixty-two of the principal Act to give notice to the registrar of companies of the situation of its registered office and of any change therein.

(4) The return must be contained in a separate part of the register of members and must be completed within twenty-eight days after the first or only general meeting in the year, and the company shall forthwith forward to the registrar of companies a copy signed by a director or by the manager or secretary of the company.

(5) Sub-sections (3) and (5) of section twenty-six of the principal Act shall apply for the purposes of this section as if they were herein re-enacted.

(6) Except as regards sub-section (4) of this section and sub-section (3) of section twenty-six of the principal Act as applied by this section the expression "director" in this section shall include any person in accordance with whose directions or instructions the directors of the company are accustomed to act.

Transfer of shares or debentures not to be registered except on production of instrument of transfer.

8.—(1) Notwithstanding anything in its articles, it shall not be lawful for a company to register a transfer of shares in or debentures of the company unless a proper instrument of transfer has been delivered to the company:

Provided that nothing in this section shall prejudice any power of the company to register as shareholder or debenture holder any person to whom the right to

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any shares in or debentures of the company has been transmitted by operation of law.

(2) The production to a company of any document which is by law sufficient evidence of probate of the will, or letters of administration of the estate, of a deceased person having been granted to some person shall be accepted by the company, notwithstanding anything in its articles, as sufficient evidence of the grant.

Amendment of s. 30 of principal Act.

9. Section thirty of the principal Act (which relates to the inspection of the register of members) shall be amended as follows:—

(*a*) at the end of sub-section (2) there shall be inserted the following paragraph:—

"The company shall cause any copy so required by any person to be sent to that person within a period of ten days commencing on the day next after the day on which the requirement is received by the company";

(*b*) the following shall be substituted for sub-section (3):—

"(3) If any inspection required under this section is refused or if any copy required under this section is not sent within the proper period, the company and every officer of the company who is in default shall be liable in respect of each offence to a fine not exceeding two pounds, and further to a default fine of two pounds, and the court may by order compel an immediate inspection of the register or direct that the copies required shall be sent to the persons requiring them."

Amendment of sub-section (1) and repeal of sub-section (3) of s. 41 of principal Act.

10. Section forty-one of the principal Act (which gives power to a company limited by shares to alter its share capital) shall be amended as follows:—

(*a*) in sub-section (1) after the words "limited by shares" there shall be inserted the words "or a company limited by guarantee and having a share capital," and the words "the issue of" in paragraph (*a*) shall be omitted.

(*b*) sub-section (3) shall cease to have effect.

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Amendment of subsection (2) of s. 41 of principal Act.

11. Sub-section (2) of section forty-one of the principal Act (which relates to the power of a company to alter its share capital) shall be amended by leaving out the words "with respect to sub-division of shares," and substituting the words, "the company in general meeting" for the words "special resolution."

Notice to registrar of consolidation of share capital, conversion of shares into stock, etc.

12. The following section shall be substituted for section forty-two of the principal Act:—

"(1) If a company having a share capital has—

(*a*) consolidated and divided its share capital into shares of larger amount than its existing shares; or

(*b*) converted any shares into stock; or

(*c*) re-converted stock into shares; or

(*d*) sub-divided its shares or any of them; or

(*e*) redeemed any redeemable preference shares; or

(*f*) cancelled any shares otherwise than in connection with a reduction of share capital under section forty-six of this Act,

it shall within one month after so doing give notice thereof to the registrar of companies specifying, as the case may be, the shares consolidated, divided, converted, sub-divided, redeemed or cancelled, or the stock re-converted.

"(2) If default is made in complying with this section, the company and every officer of the company who is in default shall be liable to a default fine."

Amendment of s. 44 of principal Act.

13. Section forty-four of the principal Act (which provides for the giving of notice of the increase of share capital or of the members of a company) shall be amended as follows:—

(*a*) in sub-section (1) the words "or in the case of a "special resolution the confirmation" shall cease to have effect;

(*b*) after sub-section (1) there shall be inserted the following new sub-section:—

"(1A) In the case of an increase of share capital the notice to be given as aforesaid

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"shall include such particulars as may be prescribed with respect to the classes of shares affected and the conditions subject to which the new shares have been or are to be issued, and there shall be forwarded to the registrar of companies together with the notice a printed copy of the resolution authorising the increase";

(*c*) in sub-section (2) for the words "and manager" there shall be substituted the words "manager, "secretary or other officer."

Prohibition of provision of financial assistance by company for purchase of its own shares.

14.—(1) Subject as hereinafter provided, it shall not be lawful for a company to give, whether directly or indirectly, and whether by means of a loan, guarantee, the provision of security or otherwise, any financial assistance for the purpose of or in connection with a purchase made or to be made by any person of any shares in the company:

Provided that nothing in this section shall be taken to prohibit—

(*a*) where the lending of money is part of the ordinary business of a company, the lending of money by the company in the ordinary course of its business;

(*b*) the provision by a company, in accordance with any scheme for the time being in force, of money for the purchase by trustees of fully-paid shares in the company to be held by or for the benefit of employees of the company, including any director holding a salaried employment or office in the company;

(*c*) the making by a company of loans to persons, other than directors, bona fide in the employment of the company with a view to enabling those persons to purchase fully-paid shares in the company to be held by themselves by way of beneficial ownership.

(2) The aggregate amount of any outstanding loans made under the authority of provisoes (*b*) and (*c*) to sub-section (1) of this section shall be shown as a separate item in the balance sheet.

(3) If a company acts in contravention of the provisions of this section, the company and every officer of

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the company who is in default shall be liable to a fine not exceeding one hundred pounds.

Rights of holders of special classes of shares.

15.—(1) If in the case of any company, the share capital of which is divided into different classes of shares, provision is made by the memorandum or articles for authorising the variation of the rights attached to any class of shares in the company, subject to the consent of any specified proportion of the holders of the issued shares of that class or the sanction of a resolution passed at a separate meeting of the holders of those shares, and in pursuance of the said provision the rights attached to any such class of shares are at any time varied, the holders of not less in the aggregate than fifteen per cent. of the issued shares of that class, being persons who did not consent to, or vote in favour of the resolution for, the variation, may apply to the court to have the variation cancelled, and, where any such application is made, the variation shall not have effect unless and until it is confirmed by the court.

(2) An application under this section must be made within seven days after the date on which the consent was given or the resolution was passed, as the case may be, and may be made on behalf of the shareholders entitled to make the application by such one or more of their number as they may appoint in writing for the purpose.

(3) On any such application the court, after hearing the applicant and any other persons who apply to the court to be heard, and appear to the court to be interested in the application, may, if it is satisfied, having regard to all the circumstances of the case, that the variation would unfairly prejudice the shareholders of the class represented by the applicant, disallow the variation and shall, if not so satisfied, confirm the variation.

(4) The decision of the court on any such application shall be final.

(5) The company shall within fifteen days after the making of an order by the court on any such application forward a copy of the order to the registrar of companies, and, if default is made in complying with this provision, the company and every officer of the company who is in default shall be liable to a default fine.

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(6) The expression "variation" in this section includes abrogation and the expression "varied" shall be construed accordingly.

Power to issue redeemable preference shares.

16.—(1) Subject to the provisions of this section, a company limited by shares may, if so authorised by its articles, issue preference shares which are, or at the option of the company are to be liable, to be redeemed:

Provided that—

(*a*) no such shares shall be redeemed except out of profits of the company which would otherwise be available for dividend, or out of the proceeds of a fresh issue of shares made for the purposes of the redemption;

(*b*) no such shares shall be redeemed unless they are fully paid;

(*c*) where any such shares are redeemed otherwise than out of the proceeds of a fresh issue, there shall out of profits which would otherwise have been available for dividend be transferred to a reserve fund, to be called "the capital redemption reserve fund," a sum equal to the amount applied in redeeming the shares, and the provisions of the principal Act relating to the reduction of the share capital of a company shall, except as hereinafter provided, apply as if the capital redemption reserve fund were paid up share capital of the company;

(*d*) where any such shares are redeemed out of the proceeds of a fresh issue, if a premium is payable on redemption, such premium shall have been provided for out of the profits of the company before the shares are redeemed.

(2) There shall be included in every balance sheet of a company which has issued redeemable preference shares a statement specifying what part of the issued capital of the company consists of such shares and the date on or before which those shares are, or are to be liable, to be redeemed.

If a company fails to comply with the provisions of this sub-section, the company and every officer of the company who is in default shall be liable to a fine not exceeding one hundred pounds.

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(3) Subject to the provisions of this section, the redemption of preference shares thereunder may be effected on such terms and in such manner as may be provided by the articles of the company.

(4) Where in pursuance of this section a company has redeemed or is about to redeem any preference shares, it shall have power to issue shares up to the nominal amount of the shares redeemed or to be redeemed as if those shares had never been issued, and accordingly the share capital of the company shall not for the purposes of any enactments relating to stamp duty be deemed to be increased by the issue of shares in pursuance of this sub-section:

Provided that, where new shares are issued before the redemption of the old shares, the new shares shall not, so far as relates to stamp duty, be deemed to have been issued in pursuance of this sub-section unless the old shares are redeemed within one month after the issue of the new shares.

(5) Where new shares have been issued in pursuance of the last foregoing sub-section, and a capital redemption reserve fund has been created, such capital redemption reserve fund may, notwithstanding anything in this section, be applied by the company, up to an amount equal to the nominal amount of the shares so issued, in paying up unissued shares of the company to be issued to members of the company as fully paid bonus shares.

Reduction of capital.

17.—(1) The following section shall be substituted for section forty-eight of the principal Act (which provides for the addition to the name of a company of the words "and reduced"):—

> "Where the court makes an order confirming a reduction of the share capital of a company, it may, if for any special reason it thinks proper so to do, direct that the company shall, during such period (commencing on or at any time after the date of the order) as is specified in the order, add to its name as the last words thereof the words 'and reduced,' and those words shall, until the expiration of the period specified, be deemed to be part of the name of the company."

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(2) Where an application has been made to the court for the confirmation of a reduction of share capital which involves either the diminution of any liability in respect of unpaid share capital or the payment to any shareholder of any paid-up share capital, the court may, if having regard to any special circumstances of the case it thinks proper so to do, direct that section forty-nine of the principal Act (which makes provision with respect to objections by creditors and the settlement of a list of the objecting creditors in cases of reduction of capital), shall not, as regards any class or any classes of creditors, apply in relation to the reduction to which the application relates, and, where the court so directs, the consent of the creditors of that class or those classes to the reduction shall not be required.

(3) Section forty of the principal Act (which gives power to return accumulated profits in reduction of paid-up share capital), shall cease to have effect.

Amendment of s. 62 of principal Act.

18. Section sixty-two of the principal Act (which relates to the registered office of a company) shall be amended as follows:—

(*a*) In sub-section (1) after the word "shall" there shall be inserted the words "as from the day "on which it begins to carry on business or as "from the twenty-eighth day after the date of "its incorporation, whichever is the earlier":

(*b*) In sub-section (2) after the word "given" there shall be inserted the words "within twenty-"eight days after the date of the incorporation "of the company or of the change, as the case "may be";

(*c*) The following shall be substituted for sub-section (3):—

"(3) If default is made in complying with the requirements of this section, the company and every officer of the company who is in default shall be liable to a default fine."

Amendment of s. 65 of principal Act.

19. Section sixty-five of the principal Act (which relates to the first statutory meeting of a company) shall be amended as follows:—

(*a*) For the words in sub-section (1) from the beginning thereof down to the words "hundred

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and one" inclusive there shall be substituted the words "Every company limited by shares "and every company limited by guarantee "and having a share capital":

(*b*) The following shall be substituted for sub-section (10):—

"(10) Nothing in this section shall apply to a private company":

(*c*) At the end of the section there shall be inserted the following new sub-section:

"(11) In the event of any default in complying with the provisions of this section, every director of the company who is guilty of or who knowingly and wilfully authorises or permits the default shall be liable to a fine not exceeding fifty pounds."

Convening of extra-ordinary general meeting on requisition.

20. The following section shall be substituted for section sixty-six of the principal Act (which provides for the convening of an extraordinary general meeting on a requisition by certain shareholders):—

"(1) The directors of a company, notwithstanding anything in its articles, shall on the requisition of members of the company holding at the date of the deposit of the requisition not less than one-tenth of such of the paid-up capital of the company as at the date of the deposit carries the right of voting at general meetings of the company, or, in the case of a company not having a share capital, members of the company representing not less than one-tenth of the total voting rights of all the members having at the said date a right to vote at general meetings of the company, forthwith proceed duly to convene an extraordinary general meeting of the company.

(2) The requisition must state the objects of the meeting, and must be signed by the requisitionists and deposited at the registered office of the company, and may consist of several documents in like form, each signed by one or more requisitionists.

(3) If the directors do not within twenty-one days from the date of the deposit of the requisition proceed duly to convene a meeting, the requisitionists, or any of them representing more than one-half of the total voting rights of all of them, may themselves convene a meeting, but any meeting so

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"convened shall not be held after the expiration of three months from the said date.

(4) A meeting convened under this section by the requisitionists shall be convened in the same manner, as nearly as possible, as that in which meetings are to be convened by directors.

(5) Any reasonable expenses incurred by the requisitionists by reason of the failure of the directors duly to convene a meeting shall be repaid to the requisitionists by the company, and any sum so repaid shall be retained by the company out of any sums due or to become due from the company by way of fees or other remuneration in respect of their services to such of the directors as were in default.

(6) For the purposes of this section, the directors shall, in the case of a meeting at which a resolution is to be proposed as a special resolution, be deemed not to have duly convened the meeting if they do not give such notice thereof as is required by section sixty-nine of this Act."

Provision as to meetings and votes.

21. The following section shall be substituted for section sixty-seven of the principal Act (which makes provision with respect to meetings and votes):—

"(1) The following provisions shall have effect in so far as the articles of the company do not make other provision in that behalf:—

(*a*) a meeting of a company, other than a meeting for the passing of a special resolution, may be called by seven days' notice in writing;

(*b*) notice of the meeting of a company shall be served on every member of the company in the manner in which notices are required to be served by Table A in the First Schedule to this Act, and for the purpose of this provision the expression 'Table A' means that table as for the time being in force;

(*c*) two or more members holding not less than one-tenth of the issued share capital or, if the company has not a share capital, not less than five per cent. in number of the

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"members of the company may call a meeting;

(*d*) in the case of a private company two members and in the case of any other company three members personally present shall be a quorum;

(*e*) any member elected by the members present at a meeting may be chairman thereof;

(*f*) in the case of a company originally having a share capital, every member shall have one vote in respect of each share or each ten pounds of stock held by him, and in any other case every member shall have one vote.

(2) If for any reason it is impracticable to call a meeting of a company in any manner in which meetings of that company may be called or to conduct the meeting of the company in manner prescribed by the articles or this Act, the court, either on the application of any director of the company or of any member of the company who would be entitled to vote at the meeting or of its own motion, may order a meeting of the company to be called, held and conducted in such manner as the court thinks fit, and where any such order is made may give such ancillary or consequential directions as it thinks expedient, and any meeting called, held and conducted in accordance with any such order shall for all purposes be deemed to be a meeting of the company duly called, held and conducted."

Representation of companies at meetings of other companies of which they are members.

22. The following section shall be substituted for section sixty-eight of the principal Act (which relates to the representation of companies at meetings of other companies of which they are members):—

"(1) A corporation, whether a company within the meaning of this Act or not, may—

(*a*) if it is a member of another corporation, being a company within the meaning of this Act, by resolution of its directors or other governing body authorise such person as it thinks fit to act as its repre-

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"sentative at any meeting of the company or at any meeting of any class of members of the company;

(*b*) if it is a creditor (including a holder of debentures) of another corporation, being a company within the meaning of this Act, by resolution of its directors or other governing body authorise such person as it thinks fit to act as its representative at any meeting of any creditors of the company held in pursuance of this Act or of any rules made thereunder, or in pursuance of the provisions contained in any debenture or trust deed, as the case may be.

(2) A person authorised as aforesaid shall be entitled to exercise the same powers on behalf of the corporation which he represents as that corporation could exercise if it were an individual shareholder, creditor, or holder of debentures, of that other company."

Provisions as to extraordinary and special resolutions.

23. The following section shall be substituted for section sixty-nine of the principal Act (which defines extraordinary resolutions and special resolutions):—

"(1) A resolution shall be an extraordinary resolution when it has been passed by a majority of not less than three-fourths of such members as, being entitled so to do, vote in person or, where proxies are allowed, by proxy, at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

(2) A resolution shall be a special resolution when it has been passed by such a majority as is required for the passing of an extraordinary resolution and at a general meeting of which not less than twenty-one days' notice, specifying the intention to propose the resolution as a special resolution, has been duly given:

Provided that, if all the members entitled to attend and vote at any such meeting so agree, a resolution may be proposed and passed as a special resolution at a meeting of which less than twenty-one days' notice has been given.

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"(3) At any meeting at which an extraordinary resolution or a special resolution is submitted to be passed, a declaration of the chairman that the resolution is carried shall, unless a poll is demanded, be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.

(4) At any meeting at which an extraordinary resolution or a special resolution is submitted to be passed a poll shall be taken to be effectively demanded, if demanded—

(*a*) by such number of members for the time being entitled under the articles to vote at the meeting as may be specified in the articles, so, however, that it shall not in any case be necessary for more than five members to make the demand; or

(*b*) if no provision is made by the articles with respect to the right to demand the poll, by three members so entitled or by one member or two members so entitled, if that member holds or those two members together hold not less than fifteen per cent. of the paid-up share capital of the company.

(5) When a poll is demanded in accordance with this section, in computing the majority on the poll reference shall be had to the number of votes to which each member is entitled by virtue of this Act or of the articles of the company.

(6) For the purposes of this section, notice of a meeting shall be deemed to be duly given and the meeting to be duly held when the notice is given and the meeting held in manner provided by this Act or the articles."

Registration and copies of certain resolutions and agreements.

24. The following section shall be substituted for section seventy of the principal Act (which makes provision with respect to registration and copies of special resolutions):—

"(1) A printed copy of every resolution or agreement to which this section applies shall, within fifteen days after the passing or making thereof, be forwarded to the registrar of companies and recorded by him.

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"(2) Where articles have been registered, a copy of every such resolution or agreement for the time being in force shall be embodied in or annexed to every copy of the articles issued after the passing of the resolution or the making of the agreement.

(3) Where articles have not been registered, a printed copy of every such resolution or agreement shall be forwarded to any member at his request, on payment of one shilling or such less sum as the company may direct.

(4) This section shall apply to—

(*a*) Special resolutions;

(*b*) Extraordinary resolutions;

(*c*) Resolutions which have been agreed to by all the members of a company, but which, if not so agreed to, would not have been effective for their purpose unless, as the case may be, they had been passed as special resolutions or as extraordinary resolutions;

(*d*) Resolutions or agreements which have been agreed to by all the members of some class of shareholders, but which, if not so agreed to, would not have been effective for their purpose unless they had been passed by some particular majority or otherwise in some particular manner, and all resolutions or agreements which effectively bind all the members of any class of shareholders though not agreed to by all those members;

(*e*) Resolutions requiring a company to be wound up voluntarily, passed under paragraph (1) of section one hundred and eighty-two of this Act.

(5) If a company fails to comply with sub-section (1) of this section, the company and every officer of the company who is in default shall be liable to a default fine of two pounds.

(6) If a company fails to comply with sub-section (2) or sub-section (3) of this section, the company and every officer of the company who is in default shall be liable to a fine not exceeding one pound for each copy in respect of which default is made.

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"(7) For the purposes of the last two foregoing sub-sections, a liquidator of the company shall be deemed to be an officer of the company."

Inspection of minute books.

25.—(1) The books containing the minutes of proceedings of any general meeting of a company held after this Act comes into operation shall be kept at the registered office of the company, and shall during business hours (subject to such reasonable restrictions as the company may by its articles or in general meeting impose, so that not less than two hours in each day be allowed for inspection) be open to the inspection of any member gratis.

(2) Any member shall be entitled to be furnished within seven days after he has made a request in that behalf to the company with a copy of any such minutes as aforesaid at a charge not exceeding sixpence for every hundred words.

(3) If any inspection required under this section is refused or if any copy required under this section is not sent within the proper time the company and every officer of the company who is in default shall be liable in respect of each offence to a fine not exceeding two pounds and further to a default fine of two pounds.

(4) In the case of any such refusal or default the court may by order compel an immediate inspection of the books in respect of all proceedings of general meetings or direct that the copies required shall be sent to the persons requiring them.

Appointments of directors.

26.—(1) Every company registered after the commencement of this Act shall have at least two directors.

(2) This section shall not apply to a private company.

Restrictions on appointment or advertisement of director.

27. The following section shall be substituted for section seventy-two of the principal Act (which enacts restrictions on the appointment or advertisement of directors)

"(1) A person shall not be capable of being appointed director of a company by the articles, and shall not be named as a director or proposed director of a company in a prospectus issued by or on behalf of the company, or as proposed director

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"of an intended company in a prospectus issued in relation to that intended company, or in a statement in lieu of prospectus delivered to the registrar by or on behalf of a company, unless, before the registration of the articles or the publication of the prospectus, or the delivery of the statement in lieu of prospectus, as the case may be, he has by himself or by his agent authorised in writing—

(*a*) signed and delivered to the registrar of companies for registration a consent in writing to act as such director; and

(*b*) either—

(i) signed the memorandum for a number of shares not less than his qualification, if any; or

(ii) taken from the company and paid or agreed to pay for his qualification shares, if any; or

(iii) signed and delivered to the registrar for registration an undertaking in writing to take from the company and pay for his qualification shares, if any; or

(iv) made and delivered to the registrar for registration a statutory declaration to the effect that a number of shares, not less than his qualification, if any, are registered in his name.

(2) Where a person has signed and delivered as aforesaid an undertaking to take and pay for his qualification shares, he shall, as regards those shares, be in the same position as if he had signed the memorandum for that number of shares.

(3) On the application for registration of the memorandum and articles of a company the applicant shall deliver to the registrar a list of the persons who have consented to be directors of the company, and, if this list contains the name of any person who has not so consented, the applicant shall be liable to a fine not exceeding fifty pounds.

(4) This section shall not apply to—

(*a*) a company not having a share capital; or

(*b*) a private company; or

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"(*c*) a company which was a private company before becoming a public company; or

(*d*) a prospectus issued by or on behalf of a company after the expiration of one year from the date on which the company was entitled to commence business."

Resolutions passed at adjourned meetings.

28. Where after the commencement of this Act a resolution is passed at an adjourned meeting of—

(*a*) a company;

(*b*) the holders of any class of shares in a company;

(*c*) the directors of a company;

(*d*) any creditors or contributories of a company;

the resolution shall for all purposes be treated as having been passed on the date on which it was in fact passed, and shall not be deemed to have been passed on any earlier date.

Register of directors.

29. The following shall be substituted for section seventy-five of the principal Act (which provides for the keeping of a register of the directors of a company):—

"(1) Every company shall keep at its registered office a register of its directors or managers containing with respect to each of them the following particulars, that is to say—

(*a*) in the case of an individual, his present christian name and surname, any former christian name or surname, his usual residential address, his nationality, and, if that nationality is not the nationality of origin, his nationality of origin, and his business occupation, if any, or, if he has no business occupation but holds any other directorship or directorships, particulars of that directorship or of some one of those directorships; and

(*b*) in the case of a corporation, its corporate name and registered or principal office.

(2) The company shall, within the periods respectively mentioned in this sub-section, send to the registrar of companies a return in the prescribed form containing the particulars specified

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" in the said register and a notification in the prescribed form of any change among its directors or in any of the particulars contained in the register.

For the purposes of this section, the period within which the said return is to be sent shall be a period of fourteen days from the appointment of the first directors of the company, and the period within which the said notification of a change is to be sent shall be fourteen days from the happening thereof.

(3) The register to be kept under this section shall during business hours (subject to such reasonable restrictions as the company may by its articles or in general meeting impose, so that not less than two hours in each day be allowed for inspection) be open to the inspection of any member of the company without charge and of any other person on payment of one shilling, or such less sum as the company may prescribe, for each inspection.

(4) If any inspection required under this section is refused or if default is made in compliance with the provisions of sub-section (1) or sub-section (2) of this section, the company and every officer of the company who is in default shall be liable to a default fine.

(5) In the case of any such refusal the court may by order compel an immediate inspection of the register.

(6) For the purposes of this section—

(*a*) a person in accordance with whose directions or instructions the directors of the company are accustomed to act shall be deemed to be a director and officer of the company.

(*b*) the expression 'christian name' includes a forename.

(*c*) in the case of a peer or person usually named by a title different from his surname the expression 'surname' means that title.

(*d*) references to a former christian name or surname do not include—

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"(i) in the case of a peer or a person usually known by a British title different from his surname the name by which he was known previous to the adoption of or succession to the title; or

(ii) in the case of natural born subjects, a former christian name or surname where that name or surname was changed or disused before the person bearing the name attained the age of eighteen years; or

(iii) in the case of a married woman the name or surname by which she was known previous to the marriage."

Provisions with respect to offers of shares or debentures for sale.

30.—(1) Where a company allots or agrees to allot any shares in or debentures of the company with a view to all or any of those shares or debentures being offered for sale to the public, any document by which the offer for sale to the public is made shall for all purposes be deemed to be a prospectus issued by the company, and all enactments and rules of law as to the contents of prospectuses and to liability in respect of statements in and omissions from prospectuses, or otherwise relating to prospectuses, shall apply and have effect accordingly, as if the shares or debentures had been offered to the public for subscription and as if persons accepting the offer in respect of any shares or debentures were subscribers for those shares or debentures, but without prejudice to the liability, if any, of the persons by whom the offer is made, in respect of mis-statements contained in the document or otherwise in respect thereof.

(2) For the purposes of this Act, it shall, unless the contrary is proved, be evidence that an allotment of, or an agreement to allot, shares or debentures was made with a view to the shares or debentures being offered for sale to the public if it is shown—

(*a*) that an offer of the shares or debentures or of any of them for sale to the public was made within six months after the allotment or agreement to allot; or

(*b*) that at the date when the offer was made the whole consideration to be received by the

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company in respect of the shares or debentures had not been so received.

(3) Section eighty of the principal Act as applied by this section shall have effect as though the persons making the offer were persons named in a prospectus as directors of a company, and section thirty-one of this Act as applied by this section shall have effect as if it required a prospectus to state in addition to the matters specified in that section—

(*a*) the net amount of the consideration received or to be received by the company in respect of the shares or debentures to which the offer relates; and

(*b*) the place and time at which the contract under which the said shares or debentures have been or are to be allotted may be inspected.

(4) Where a person making an offer to which this section relates is a company or a firm, it shall be sufficient if the document aforesaid is signed on behalf of the company or firm by two directors of the company or not less than half of the partners, as the case may be, and any such director or partner may sign by his agent authorised in writing.

Specific requirements as to particulars in prospectus.

31.—(1) Every prospectus issued by or on behalf of a company, or by or on behalf of any person who is or has been engaged or interested in the formation of the company, must state the matters specified in Part I. of the First Schedule to this Act and set out the reports specified in Part II. of that Schedule, and the said Parts I. and II. shall have effect subject to the provisions contained in Part III. of the said Schedule.

(2) A condition requiring or binding an applicant for shares in or debentures of a company to waive compliance with any requirement of this section, or purporting to affect him with notice of any contract, document, or matter not specifically referred to in the prospectus, shall be void.

(3) It shall not be lawful to issue any form of application for shares in or debentures of a company unless the form is issued with a prospectus which complies with the requirements of this section:

Provided that this sub-section shall not apply if it is shown that the form of application was issued either—

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(*a*) in connection with a bona fide invitation to a person to enter into an underwriting agreement with respect to the shares or debentures; or

(*b*) in relation to shares or debentures which were not offered to the public.

If any person acts in contravention of the provisions of this sub-section, he shall be liable to a fine not exceeding five hundred pounds.

(4) In the event of non-compliance with or contravention of any of the requirements of this section, a director or other person responsible for the prospectus shall not incur any liability by reason of the non-compliance or contravention, if—

(*a*) as regards any matter not disclosed, he proves that he was not cognisant thereof; or

(*b*) he proves that the non-compliance or contravention arose from an honest mistake of fact on his part; or

(*c*) the non-compliance or contravention was in respect of matters which in the opinion of the court dealing with the case were immaterial or was otherwise such as ought, in the opinion of that court, having regard to all the circumstances of the case, reasonably to be excused:

Provided that, in the event of failure to include in a prospectus a statement with respect to the matters specified in paragraph 15 of Part I. of the First Schedule to this Act, no director or other person shall incur any liability in respect of the failure unless it be proved that he had knowledge of the matters not disclosed.

(5) This section shall not apply to the issue to existing members or debenture holders of a company of a prospectus or form of application relating to shares in or debentures of the company, whether an applicant for shares or debentures will or will not have the right to renounce in favour of other persons, but subject as aforesaid, this section shall apply to a prospectus or a form of application whether issued on or with reference to the formation of a company or subsequently.

(6) Nothing in this section shall limit or diminish any liability which any person may incur under the general law or this Act apart from this section.

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(7) Section eighty-one of the principal Act (which prescribes the particulars which are to be stated in a prospectus) shall cease to have effect.

Prohibition of allotment unless minimum subscription received.

32. The following section shall be substituted for section eighty-five of the principal Act (which prohibits an allotment of share capital in certain cases unless certain conditions have been complied with):—

"(1) No allotment shall be made of any share capital of a company offered to the public for subscription unless the amount stated in the prospectus as the minimum amount which, in the opinion of the directors, must be raised by the issue of share capital in order to provide for the matters specified in paragraph 5 in Part I. of the First Schedule to the Companies Act (Northern Ireland), 1930, has been subscribed, and the sum payable on application for the amount so stated has been paid to and received by the company.

For the purposes of this sub-section, a sum shall be deemed to have been paid to and received by the company if a cheque for that sum has been received in good faith by the company and the directors of the company have no reason for suspecting that the cheque will not be paid.

(2) The amount so stated in the prospectus shall be reckoned exclusively of any amount payable otherwise than in cash and is in this Act referred to as "the minimum subscription."

(3) The amount payable on application on each share shall not be less than five per cent. of the nominal amount of the share.

(4) If the conditions aforesaid have not been complied with on the expiration of forty days after the first issue of the prospectus, all money received from applicants for shares shall be forthwith repaid to them without interest, and, if any such money is not so repaid within forty-eight days after the issue of the prospectus, the directors of the company shall be jointly and severally liable to repay that money with interest at the rate of five per centum per annum from the expiration of the forty-eighth day:

Provided that a director shall not be liable if he proves that the default in the repayment of the

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"money was not due to any misconduct or negligence on his part.

(5) Any condition requiring or binding any applicant for shares to waive compliance with any requirement of this section shall be void.

(6) This section, except sub-section (3) thereof, shall not apply to any allotment of shares subsequent to the first allotment of shares offered to the public for subscription."

Restrictions on commencement of business.

33. The following section shall be substituted for section eighty-seven of the principal Act (which enacts restrictions on commencement of business):—

"(1) Where a company having a share capital has issued a prospectus inviting the public to subscribe for its shares, the company shall not commence any business or exercise any borrowing powers unless—

(*a*) shares held subject to the payment of the whole amount thereof in cash have been allotted to an amount not less in the whole than the minimum subscription; and

(*b*) every director of the company has paid to the company, on each of the shares taken or contracted to be taken by him and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares offered for public subscription; and

(*c*) there has been delivered to the registrar of companies for registration a statutory declaration by the secretary or one of the directors, in the prescribed form, that the aforesaid conditions have been complied with.

(2) Where a company having a share capital has not issued a prospectus inviting the public to subscribe for its shares, or has issued a prospectus upon which it has failed to proceed to allotment, the company shall not commence any business or exercise any borrowing powers, unless—

(*a*) there has been delivered to the registrar of companies for registration a statement in lieu of prospectus; and

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"(*b*) every director of the company has paid to the company, on each of the shares taken or contracted to be taken by him and for which he is liable to pay in cash, a proportion equal to the proportion payable on application and allotment on the shares payable in cash; and

(*c*) there has been delivered to the registrar of companies for registration a statutory declaration by the secretary or one of the directors in the prescribed form that—

(i) in the case of a company which has not issued a prospectus inviting the public to subscribe for its shares, paragraph (*b*) of this sub-section has been complied with;

(ii) in the case of a company which has issued a prospectus upon which it has failed to proceed to allotment that all money received from applicants for shares on the prospectus has been repaid, that the amount of the minimum subscription stated in the prospectus has been subscribed, and that paragraph (*b*) of this sub-section has been complied with.

(3) The registrar of companies shall, on the delivery to and registration by him of the said statutory declaration and, in the case of a company which is required by this section to deliver a statement in lieu of prospectus, of such a statement, certify that the company is entitled to commence business, and that certificate shall be conclusive evidence that the company is so entitled.

(4) Any contract made by a company before the date at which it is entitled to commence business shall be provisional only, and shall not be binding on the company until that date, and on that date it shall become binding.

(5) Nothing in this section shall prevent the simultaneous offer for subscription or allotment of any shares and debentures or the receipt of any money payable on application for debentures.

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"(6) If any company commences business or exercises borrowing powers in contravention of this section, every person who is responsible for the contravention shall, without prejudice to any other liability, be liable to a fine not exceeding fifty pounds for every day during which the contravention continues.

(7) Nothing in this section shall apply to—

(*a*) a private company; or

(*b*) a company registered before the first day of January, nineteen hundred and one; or

(*c*) a company registered before the first day of July, nineteen hundred and eight, which has not issued a prospectus inviting the public to subscribe for its shares."

Obligation to file statement in lieu of prospectus.

34.—(1) A company having a share capital which does not issue a prospectus on or with reference to its formation shall not allot any of its shares or debentures unless at least three days before the first allotment of either shares or debentures there has been delivered to and registered by the registrar of companies a statement in lieu of prospectus signed by every person who is named therein as a director or proposed director of the company or by his agent authorised in writing in a form containing the particulars set out in Part I. of the Second Schedule to this Act.

(2) A company having a share capital which having issued a prospectus on or with reference to its formation has failed to proceed to allotment thereon shall not allot any of its shares or debentures until—

(*a*) it has complied with the requirements of subsection (4) of section eighty-five of the principal Act; and

(*b*) obtained the amount of the minimum subscription stated in the prospectus, and

(*c*) there has been delivered to and registered by the registrar of companies at least three days before the first allotment of either shares or debentures a statement in lieu of prospectus signed by every person who is named therein as a director or proposed

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director of the company or by his agent authorised in writing in a form containing the particulars set out in Part I. of the Second Schedule to this Act.

(3) This section shall not apply to a private company.

(4) If a company acts in contravention of this section, the company and every director of the company who knowingly authorises or permits the contravention shall be liable to a fine not exceeding one hundred pounds.

(5) Section eighty-six of the principal Act (which contains provisions as to allotments of shares in contravention of the provisions of section eighty-five of that Act) shall apply to an allotment of shares in contravention of this section as it applies to an allotment in contravention of the said section eighty-five.

Power to issue shares at a discount.

35.—(1) Subject as hereinafter provided, it shall be lawful for a company to issue at a discount shares in the company of a class already issued:

Provided that—

(*a*) the issue of the shares at a discount must be authorised by resolution passed in general meeting of the company, and must be sanctioned by the court;

(*b*) the resolution must specify the maximum rate of discount at which the shares are to be issued;

(*c*) not less than one year must at the date of the issue have elapsed since the date on which the company was entitled to commence business;

(*d*) the shares to be issued at a discount must be issued within one month after the date on which the issue is sanctioned by the court or within such extended time as the court may allow.

(2) Where a company has passed a resolution authorising the issue of shares at a discount, it may apply to the court for an order sanctioning the issue, and on any such application the court, if, having regard to all the circumstances of the case, it thinks proper so to do, may make an order sanctioning the issue on such terms and conditions as it thinks fit.

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(3) The summary required by section twenty-six of the principal Act, every prospectus relating to the issue of the shares and every balance sheet issued by the company subsequently to the issue of the shares must contain particulars of the discount allowed on the issue of the shares or of so much of that discount as has not been written off at the date of the making or issue of the document in question.

If default is made in complying with the requirements of this sub-section, the company and every officer of the company who is in default shall be liable to a default fine.

Power to pay certain commissions, and prohibition of all other commissions, discounts, etc.

36. The following section shall be substituted for section eighty-nine of the principal Act (which deals with commissions and discounts):—

"(1) It shall be lawful for a company to pay a commission to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares in the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company if—

(*a*) the payment of the commission is authorised by the articles; and

(*b*) the commission paid or agreed to be paid does not exceed ten per cent. of the price at which the shares are issued or the amount or rate authorised by the articles, whichever is the less; and

(*c*) the amount or rate per cent. of the commission paid or agreed to be paid is—

(i) in the case of shares offered to the public for subscription, disclosed in the prospectus; or

(ii) in the case of shares not offered to the public for subscription, disclosed in the statement in lieu of prospectus, or in a statement in the prescribed form signed in like manner as a statement in lieu of prospectus and delivered before the payment of the commission to the registrar of companies for registration, and, where a circular or notice, not being a prospectus, in-

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"viting subscription for the shares is issued, also disclosed in that circular or notice; and

(*d*) the number of shares which persons have agreed for a commission to subscribe absolutely is disclosed in manner aforesaid.

(2) Save as aforesaid, no company shall apply any of its shares or capital money either directly or indirectly in payment of any commission or allowance, or, save so far as may be permitted by section thirty-five of this Act, in payment of any discount, to any person in consideration of his subscribing or agreeing to subscribe, whether absolutely or conditionally, for any shares of the company, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any shares in the company, whether the shares or money be so applied by being added to the purchase money of any property acquired by the company or to the contract price of any work to be executed for the company, or the money be paid out of the nominal purchase money or contract price, or otherwise.

(3) Nothing in this section shall affect the power of any company to pay such brokerage as it has heretofore been lawful for a company to pay.

(4) A vendor to, promoter of, or other person who receives payment in money or shares from, a company shall have and shall be deemed always to have had power to apply any part of the money or shares so received in payment of any commission, the payment of which, if made directly by the company, would have been legal under this section.

(5) If default is made in complying with the provisions of this section relating to the delivery to the registrar of the statement in the prescribed form, the company and every officer of the company who is in default shall be liable to a fine not exceeding twenty-five pounds."

Accounts.

37.—(1) Every company shall cause to be kept proper books of account with respect to—

(*a*) all sums of money received and expended by the company and the matters in respect of which the receipt and expenditure take place;

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(*b*) all sales and purchases of goods by the company;

(*c*) the assets and liabilities of the company.

(2) The books of account shall be kept at the registered office of the company or at such other place as the directors think fit, and shall at all times be open to inspection by the directors.

(3) If any person being a director of a company fails to take all reasonable steps to secure compliance by the company with the requirements of this section, or has by his own wilful act been the cause of any default by the company thereunder, he shall, in respect of each offence, be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds:

Provided that a person shall not be sentenced to imprisonment for an offence under this section unless, in the opinion of the court dealing with the case, the offence was committed wilfully.

Profit and loss account and balance sheet.

38.—(1) The directors of every company shall at some date not later than eighteen months after the incorporation of the company and subsequently once at least in every calendar year lay before the company in general meeting a profit and loss account or, in the case of a company not trading for profit, an income and expenditure account for the period, in the case of the first account, since the incorporation of the company, and, in any other case, since the preceding account, made up to a date not earlier than the date of the meeting by more than nine months, or, in the case of a company carrying on business or having interests abroad, by more than twelve months:

Provided that the Ministry of Commerce, if for any special reason the Ministry think fit so to do, may, in the case of any company, extend the period of eighteen months aforesaid, and in the case of any company and with respect to any year extend the periods of nine and twelve months aforesaid.

(2) The directors shall cause to be made out in every calendar year, and to be laid before the company in general meeting, a balance sheet as at the date to which the profit and loss account, or the income and expenditure account, as the case may be, is made up, and there shall

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be attached to every such balance sheet a report by the directors with respect to the state of the company's affairs, the amount, if any, which they recommend should be paid by way of dividend, and the amount, if any, which they propose to carry to the reserve fund, general reserve or reserve account shown specifically on the balance sheet, or to a reserve fund, general reserve or reserve account to be shown specifically on a subsequent balance sheet.

(3) If any person being a director of a company fails to take all reasonable steps to comply with the provisions of this section, he shall, in respect of each offence, be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds:

Provided that a person shall not be sentenced to imprisonment for an offence under this section, unless in the opinion of the court dealing with the case the offence was committed wilfully.

Auditors' report and auditors' right of access to books, report to be attached to balance sheet.

39. The following section shall be substituted for section one hundred and thirteen of the principal Act (which relates to the powers and duties of auditors):—

"(1) Every auditor of a company shall have a right of access at all times to the books and accounts and vouchers of the company, and shall be entitled to require from the directors and officers of the company such information and explanation as may be necessary for the performance of the duties of the auditors:

Provided that, in the case of a banking company which was registered after the fifteenth day of August, eighteen hundred and seventy-nine, and which has branch banks beyond the limits of Europe, it shall be sufficient if the auditor is allowed access to such copies and extracts from such books and accounts of any such branch as have been transmitted to the head office of the company in Northern Ireland.

(2) The auditors shall make a report to the members on the accounts examined by them, and on every balance sheet laid before the company in general meeting during their tenure of office, and the report shall state—

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"(*a*) whether or not they have obtained all the information and explanations they have required; and

(*b*) whether, in their opinion, the balance sheet referred to in the report is properly drawn up so as to exhibit a true and correct view of the state of the company's affairs according to the best of their information and the explanations given to them, and as shown by the books of the company.

(3) Every balance sheet of a company shall be signed on behalf of the board by two of the directors of the company, or, if there is only one director, by that director, and the auditors' report shall be attached to the balance sheet, and the report shall be read before the company in general meeting, and shall be open to inspection by any member.

Provided that in the case of a banking company registered after the fifteenth day of August, eighteen hundred and seventy-nine the balance sheet must be signed by the secretary or manager (if any) and where there are more than three directors of the company by at least three of those directors and where there are not more than three directors by all the directors.

(4) If any copy of a balance sheet which has not been signed as required by this section is issued, circulated, or published, or if any copy of a balance sheet is issued, circulated, or published without having a copy of the auditors' report attached thereto, the company, and every director, manager, secretary, or other officer of the company who is knowingly a party to the default, shall on conviction be liable to a fine not exceeding fifty pounds."

Form of balance sheet.

40.—(1) Every balance sheet of a company shall contain a summary of the authorised share capital and of the issued share capital of the company, its liabilities and its assets, together with such particulars as are necessary to disclose the general nature of the liabilities and the assets of the company and to distinguish between the amounts respectively of the fixed assets and of the floating assets, and shall state how the values of the fixed assets have been arrived at.

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(2) There shall be stated under separate headings in the balance sheet, so far as they are not written off—

(*a*) the preliminary expenses of the company; and

(*b*) any expenses incurred in connection with any issue of share capital or debentures; and

(*c*) if it is shown as a separate item in or is otherwise ascertainable from the books of the company, or from any contract for the sale or purchase of any property to be acquired by the company, or from any documents in the possession of the company relating to the stamp duty payable in respect of any such contract or the conveyance of any such property, the amount of the goodwill and of any patents and trademarks as so shown or ascertained.

(3) Where any liability of the company is secured otherwise than by operation of law on any assets of the company, the balance sheet shall include a statement that that liability is so secured, but it shall not be necessary to specify in the balance sheet the assets on which the liability is secured.

(4) Where any of the assets of a company consist of shares in, or amounts owing (whether on account of any loan or otherwise) from a subsidiary company or subsidiary companies, the aggregate amount of those assets, distinguishing shares and indebtedness, shall be set out in the balance sheet of the first-mentioned company separately from all its other assets, and where a company is indebted (whether on account of any loan or otherwise) to a subsidiary company or subsidiary companies, the aggregate amount of that indebtedness shall be set out in the balance sheet of such company separately from all its other liabilities.

(5) Where a company (in this sub-section referred to as "the holding company") holds shares either directly or through a nominee in a subsidiary company or in two or more subsidiary companies, there shall be annexed to the balance sheet of the holding company a statement, signed by the persons by whom in pursuance of section one hundred and thirteen of the principal Act the balance sheet is signed, stating how the profits and losses of the subsidiary company, or, where there are two or more subsidiary companies, the aggregate profits and losses of those companies, have (so far as they

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concern the holding company) been dealt with in, or for the purposes of, the accounts of the holding company, and in particular how, and to what extent,—

(i) provision has been made for the losses of any subsidiary company either in the accounts of that company or of the holding company, or of both; and

(ii) losses of any subsidiary company have been taken into account by the directors of the holding company in arriving at the profits and losses of that company as disclosed in its accounts:

Provided that it shall not be necessary to specify in any such statement the actual amount of the profits or losses of any subsidiary company, or the actual amount of any part of any such profits or losses which has been dealt with in any particular manner.

(6) If in the case of a subsidiary company the auditors' report on the balance sheet of the company does not state without qualification that the auditors have obtained all the information and explanations they have required and that the balance sheet is properly drawn up so as to exhibit a true and correct view of the state of the company's affairs according to the best of their information and the explanations given to them and as shown by the books of the company, the statement which is to be annexed as aforesaid to the balance sheet of the holding company shall contain particulars of the manner in which the report is qualified.

(7) For the purposes of this section, the profits or losses of a subsidiary company mean the profits or losses shown in any accounts of the subsidiary company made up to a date within the period to which the accounts of the holding company relate, or, if there are no such accounts of the subsidiary company available at the time when the accounts of the holding company are made up, the profits or losses shown in the last previous accounts of the subsidiary company which became available within that period.

(8) If for any reason the directors of the holding company are unable to obtain such information as is necessary for the preparation of the statement aforesaid, the directors who sign the balance sheet shall so report in writing and their report shall be annexed to the balance sheet in lieu of the statement.

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Meaning of Subsidiary Company.

41.—(1) Where the assets of a company consist in whole or in part of shares in another company (whether held directly or through a nominee and whether that other company is a company within the meaning of the principal Act or not) and—

(i) the amount of the shares so held is at the time when the accounts of the holding company are made up more than fifty per cent. of the issued share capital of that other company or such as to entitle the company to more than fifty per cent. of the voting power in that other company; or

(ii) the company has power (not being power vested in it by virtue only of the provisions of a debenture trust deed or by virtue of shares issued to it for the purpose in pursuance of such provisions) directly or indirectly to appoint the majority of the directors or persons occupying the position of director, by whatever name called in that other company,

that other company shall be deemed to be a subsidiary company within the meaning of this Act, and the expression "subsidiary company" in this Act means a company in the case of which the conditions of this sub-section are satisfied.

(2) Where a company the ordinary business of which includes the lending of money holds shares in another company as security only, no account shall for the purpose of determining under this section whether that other company is a subsidiary company be taken of the shares so held.

Rights of members and debenture holders to receive copies of balance sheets and auditors' report.

42.—(1) In the case of a company which is not a private company a copy of every balance sheet including every document required by law to be annexed thereto, which is to be laid before the company in general meeting, together with a copy of the auditors' report, shall, not less than seven days before the date of the meeting be sent to all persons entitled to receive notices of general meetings of the company; and if default is made in complying with the foregoing requirement the company and every officer of the company who is in default shall be liable to a fine not exceeding twenty pounds.

(2) In the case of a company which is not a private company any member of the company whether he is or

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is not entitled to have sent to him copies of the company's balance sheets, and any holder of debentures of the company shall be entitled to be furnished gratis on demand with a copy of the last balance sheet of the company, including every document required by law to be annexed thereto, together with a copy of the report of the company's auditors on the balance sheet.

(3) If where any person makes a demand for a document with which he is by virtue of the preceding subsection entitled to be furnished default is made in complying with the demand within seven days after the making thereof, the company and every officer of the company, who is in default shall be liable to a default fine unless it is proved that that person has already made a demand for and been furnished with a copy of the document.

(4) In the case of a company being a private company any member and any holder of debentures of the company shall be entitled to be furnished within seven days after he has made a request in that behalf to the company with a copy of the balance sheet and auditors' report at a charge not exceeding sixpence for every hundred words.

If default is made in furnishing such a copy to any member or holder of debentures who demands it and tenders to the company the amount of the proper charge therefor the company and every officer of the company who is in default shall be liable to a default fine.

Notice of refusal to register transfer.

43.—(1) If a company refuses to register a transfer of any shares or debentures, the company shall, within two months after the date on which the transfer was lodged with the company, send to the transferee notice of the refusal.

(2) If default is made in complying with this section, the company, and every officer of the company who is in default shall be liable to a default fine.

Duties of company with respect to issue of certificates.

44. The following section shall be substituted for section ninety-two of the principal Act (which limits the time for the issue of certificates of shares, etc.).

"(1) Every company shall, within two months after the allotment of any of its shares, debentures, or debenture stock, and within two months after the

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"date on which a transfer of any such shares, debentures, or debenture stock, is lodged with the company complete and have ready for delivery the certificates of all shares, the debentures, and the certificates of all debenture stock allotted or transferred, unless the conditions of issue of the shares, debentures, or debenture stock otherwise provide.

The expression 'transfer' for the purpose of this sub-section means a transfer duly stamped and otherwise valid, and does not include such a transfer as the company is for any reason entitled to refuse to register and does not register.

(2) If default is made in complying with this section, the company and every officer of the company who is in default shall be liable to a default fine.

(3) If any company on whom a notice has been served requiring the company to make good any default in complying with the provisions of sub-section (1) of this section fails to make good the default within ten days after the service of the notice, the court may, on the application of the person entitled to have the certificates or the debentures delivered to him, make an order directing the company and any officer of the company to make good the default within such time as may be specified in the order, and any such order may provide that all costs of and incidental to the application shall be borne by the company or by any officer of the company responsible for the default."

Amendments as to registration of mortgages and charges.

45.—(1) Section ninety-three of the principal Act (which provides for the registration of mortgages and charges created by companies registered in Northern Ireland) shall be amended as follows:—

(*a*) In sub-section (1) after paragraph (*f*) there shall be inserted the following paragraphs:—

"(*g*) a mortgage or charge on calls made but not paid;

(*h*) a mortgage or charge on a ship or any share in a ship;

(*i*) a mortgage or charge on goodwill, on any patent or licence under a patent, on any

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"trademark or on any copyright or licence under a copyright";

(*b*) In sub-section (1) after proviso (ii) there shall be inserted the following new proviso:—

"(iiA) where a mortgage or charge comprises property situate in Great Britain and registration in the country where the property is situated is necessary to make the mortgage or charge valid or effectual according to the law of that country, the delivery to and the receipt by the registrar of a copy verified in the prescribed manner of the instrument by which the mortgage or charge is created or evidenced, together with a certificate in the prescribed form stating that the mortgage or charge was presented for registration in the country in which the property is situated, on the date on which it was so presented shall, for the purposes of this section, have the same effect as the delivery and receipt of the instrument itself; and"

(*c*) After sub-section (1) there shall be inserted the following new sub-sections:—

"(1A) Where a company registered in Northern Ireland acquires any property which is subject to a mortgage or charge of any such kind as would, if it had been created by the company after the acquisition of the property, have been required to be registered under this section, the company shall cause the prescribed particulars of the mortgage or charge, together with a copy (certified in the prescribed manner to be a correct copy) of the instrument, if any, by which the mortgage or charge was created or is evidenced, to be delivered to the registrar of companies for registration in manner required by this Act within twenty-one days after the date on which the acquisition is completed.

Provided that, if the property is situate, and the mortgage or charge was created outside Northern Ireland, twenty-one days after

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"the date on which the copy of the instrument could in due course of post, and if dispatched with due diligence have been received in Northern Ireland, shall be substituted for twenty-one days after the completion of the acquisition as the time within which the particulars and the copy of the instrument are to be delivered to the registrar.

(1B) If default is made in complying with the provisions of the preceding sub-section the company and every officer of the company who is in default shall be liable to a default fine of fifty pounds."

(2) Paragraphs (*a*) and (*c*) of sub-section (1) of this section shall respectively have effect only in relation to mortgages or charges created, or property acquired, after the commencement of this Act, but it shall be the duty of a company within six months after the commencement of this Act to send to the registrar of companies for registration the prescribed particulars of any mortgage or charge created by the company before the date of the commencement of this Act and remaining unsatisfied at that date, or of any mortgage or charge to which any property acquired by the company before the commencement of this Act is subject, which would, under the provisions of this section, have been required to be registered if it had been created or the property had been acquired after the commencement of this Act, and the registrar shall, on payment of the prescribed fee, enter those particulars on the register kept in pursuance of the said section ninety-three.

If a company fails to comply with the requirements of this sub-section, the company and every officer of the company who is in default or other person who is knowingly a party to the default, shall be liable to a fine not exceeding fifty pounds for every day during which the default continues:

Provided that the failure of the company shall not prejudice any rights which any person in whose favour the mortgage or charge was made may have thereunder.

(3) Section two hundred and twelve of the principal Act (which relates to the effect of a floating charge) shall have effect as though six months were therein substituted for three months.

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Delivery to registrar of accounts of receivers and managers.

46. For section ninety-five of the principal Act (which relates to the filing of accounts of receivers and managers) there shall be substituted the following section :—

"(1) Every receiver or manager of the property of a company who has been appointed under the powers contained in any instrument shall, within one month or such longer period as the registrar of companies may allow after the expiration of the period of six months from the date of his appointment and of every subsequent period of six months and within one month after he ceases to act as receiver or manager, deliver to the registrar of companies for registration an abstract in the prescribed form showing his receipts and his payments during that period of six months, or, where he ceases to act as aforesaid, during the period from the end of the period to which the last preceding abstract related up to the date of his so ceasing, and the aggregate amount of his receipts and of his payments during all preceding periods since his appointment, and shall also, on ceasing to act as receiver or manager, give the registrar notice to that effect, and the registrar shall enter the notice in the register of mortgages and charges.

(2) Every receiver or manager who makes default in complying with the provisions of this section shall be liable to a fine not exceeding five pounds for every day during which the default continues."

Power of court to fix remuneration of receiver or manager on application of liquidator.

47. The court may, on an application made to the court by the liquidator of a company, by order fix the amount to be paid by way of remuneration to any person who, under the powers contained in any instrument, has been appointed as receiver or manager of the property of the company, and may from time to time, on an application made either by the liquidator or by the receiver or manager, vary or amend any order so made.

Amendment of s. 102 of principal Act.

48. Section one hundred and two of the principal Act (which confers on debenture holders the right to inspect the register of debenture holders and of requiring copies of the trust deed) shall be amended as follows :—

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(*a*) In sub-section (1) for the words "with the "articles" there shall be substituted the words "with the provisions contained in the "articles or in the debentures or in the case "of debenture stock, in the stock certificates, "or in the trust deed or other document "securing the debentures or debenture stock," and for the words "specified in the articles" there shall be substituted the words "therein "specified";

(*b*) After sub-section (3) there shall be inserted the following sub-section:—

"(4) Where inspection is refused or a copy "is refused or not forwarded the court may "by order compel an immediate inspection "of the register or direct that the copies "required shall be sent to the persons "requiring them."

Power to re-issue redeemed debentures in certain cases.

49.—(1) Where either before or after the commencement of this Act a company has redeemed any debentures previously issued, then—

(*a*) unless any provision to the contrary, whether express or implied, is contained in the articles or in any contract entered into by the company; or

(*b*) unless the company has, by passing a resolution to that effect or by some other act, manifested its intention that the debentures shall be cancelled,

the company shall have, and shall be deemed always to have had, power to re-issue the debentures, either by re-issuing the same debentures or by issuing other debentures in their place.

(2) On a re-issue of redeemed debentures the person entitled to the debentures shall have, and shall be deemed always to have had, the same priorities as if the debentures had never been redeemed.

(3) Where a company has power to re-issue debentures which have been redeemed, particulars with respect to the debentures which can be so re-issued shall be included in every balance sheet of the company.

(4) Where a company has either before or after the passing of this Act deposited any of its debentures to

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secure advances from time to time on current account or otherwise, the debentures shall not be deemed to have been redeemed by reason only of the account of the company having ceased to be in debit whilst the debentures remained so deposited.

(5) The re-issue of a debenture or the issue of another debenture in its place under the power by this section given to, or deemed to have been possessed by, a company, whether the re-issue or issue was made before or after the passing of this Act, shall be treated as the issue of a new debenture for the purposes of stamp duty, but it shall not be so treated for the purposes of any provision limiting the amount or number of debentures to be issued:

Provided that any person lending money on the security of a debenture re-issued under this section which appears to be duly stamped may give the debenture in evidence in any proceedings for enforcing his security without payment of the stamp duty or any penalty in respect thereof, unless he had notice or, but for his negligence, might have discovered, that the debenture was not duly stamped, but in any such case the company shall be liable to pay the proper stamp duty and penalty.

(6) Where any debentures which have been redeemed before the date of the commencement of this Act are re-issued subsequent to that date, the re-issue of the debentures shall not prejudice any right or priority which any person would have had under or by virtue of any mortgage or charge created before the date of the commencement of this Act, if section one hundred and four of the Companies (Consolidation) Act, 1908, as originally enacted, had been enacted in this Act instead of this section.

(7) Section one hundred and four of the principal Act (which gives power to re-issue redeemed debentures in certain cases) shall cease to have effect.

Investigations of companies' affairs by inspectors.

50. The following section shall be substituted for section one hundred and nine of the principal Act (which relates to the investigation of the affairs of companies by inspectors).

"(1) The Ministry of Commerce may appoint one or more competent inspectors to investigate the

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"affairs of a company and to report thereon in such manner as the Ministry directs—

(*a*) In the case of a banking company having a share capital, on the application of members holding not less than one-third of the shares issued:

(*b*) In the case of any other company having a share capital, on the application of members holding not less than one-tenth of the shares issued;

(*c*) In the case of a company not having a share capital, on the application of not less than one-fifth in number of the persons on the company's register of members.

(2) The application shall be supported by such evidence as the Ministry of Commerce may require for the purpose of showing that the applicants have good reason for, and are not actuated by malicious motives in, requiring the investigation, and the Ministry may, before appointing an inspector, require the applicants to give security, to an amount not exceeding one hundred pounds, for payment of the costs of the inquiry.

(3) It shall be the duty of all officers and agents of the company to produce to the inspectors all books and documents in their custody or power.

(4) An inspector may examine on oath the officers and agents of the company in relation to its business, and may administer an oath accordingly.

(5) If any officer or agent of the company refuses to produce to the inspectors any book or document which it is his duty under this section so to produce, or refuses to answer any question which is put to him by the inspectors with respect to the affairs of the company, the inspectors may certify the refusal under their hand to the court, and the court may thereupon enquire into the case, and after hearing any witnesses who may be produced against or on behalf of the alleged offender and after hearing any statement which may be offered in defence, punish the offender in like manner as if he had been guilty of contempt of the court.

(6) On the conclusion of the investigation the inspectors shall report their opinion to the Ministry

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"of Commerce, and a copy of the report shall be forwarded by the Ministry to the registered office of the company, and a further copy shall, at the request of the applicants for the investigation, be delivered to them.

The report shall be written or printed, as the Ministry direct.

(7) If from any report made in pursuance of the last preceding sub-section it appears to the Ministry of Commerce that any person has been guilty of an offence in relation to the company for which he is criminally liable the Ministry shall refer the matter to the Attorney General for Northern Ireland.

(8) The expenses of and incidental to an investigation under this section (in this sub-section referred to as 'the expenses') shall be defrayed as follows:—

(*a*) Where as a result of the investigation a prosecution is instituted by the Attorney General for Northern Ireland the expenses shall be defrayed as expenses of the Ministry of Commerce.

(*b*) In any other case the expenses shall be defrayed by the company unless the Ministry of Commerce think proper to direct, as the Ministry is hereby authorised to do, that they shall either be paid by the applicants or in part by the company and in part by the applicants.

Provided that—

(i) if the company fails to pay the whole or any part of the sum which it is liable to pay under this sub-section, the applicants shall make good the deficiency up to the amount by which the security given by them under this section exceeds the amount (if any) which they have under this sub-section been directed by the Ministry to pay; and

(ii) any balance of the expenses not defrayed either by the company or the applicants shall be defrayed as expenses of the Ministry of Commerce."

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Amendment of s. 110 of principal Act.

51. Section one hundred and ten of the principal Act (which relates to the power of a company to appoint inspectors) shall be amended as follows:—

The following shall be substituted for subsection (3):—

"(3) If any officer or agent of the company refuses to produce to the inspectors any book or document which it is his duty under this section so to produce, or refuses to answer any question which is put to him by the inspectors with respect to the affairs of the company, he shall be liable to be proceeded against in the same manner as if the inspectors had been inspectors appointed by the Ministry of Commerce."

Power to acquire shares of shareholders dissenting from scheme or contract approved by majority.

52.—(1) Where a scheme or contract involving the transfer of shares or any class of shares in a company (in this section referred to as "the transferor company") to another company, whether a company within the meaning of the principal Act or not (in this section referred to as "the transferee company"), has within four months after the making of the offer in that behalf by the transferee company been approved by the holders of not less than nine-tenths in value of the shares affected, the transferee company may, at any time within two months after the expiration of the said four months, give notice in the prescribed manner to any dissenting shareholder that it desires to acquire his shares, and where such a notice is given the transferee company shall, unless on an application made by the dissenting shareholder within one month from the date on which the notice was given the court thinks fit to order otherwise, be entitled and bound to acquire those shares on the terms on which under the scheme or contract, the shares of the approving shareholders are to be transferred to the transferee company:

Provided that, where any such scheme or contract has been so approved at any time before the commencement of this Act, the court may by order, on an application made to it by the transferee company within two months after the commencement of this Act, authorise notice to be given under this section at any time within fourteen days after the making of the order, and this section shall apply accordingly, except that the terms on which the shares of the dissenting shareholder are to

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be acquired shall be such terms as the court may by the order direct instead of the terms provided by the scheme or contract.

(2) Where a notice has been given by the transferee company under this section and the court has not, on an application made by the dissenting shareholder, ordered to the contrary, the transferee company shall, on the expiration of one month from the date on which the notice has been given, or, if an application to the court by the dissenting shareholder is then pending, after that application has been disposed of, transmit a copy of the notice to the transferor company and pay or transfer to the transferor company the amount or other consideration representing the price payable by the transferee company for the shares which by virtue of this section that company is entitled to acquire, and the transferor company shall thereupon register the transferee company as the holder of those shares.

(3) Any sums received by the transferor company under this section shall be paid into a separate bank account, and any such sums and any other consideration so received shall be held by that company on trust for the several persons entitled to the shares in respect of which the said sums or other consideration were respectively received.

(4) In this section the expression " dissenting shareholder " includes a shareholder who has not assented to the scheme or contract and any shareholder who has failed or refused to transfer his shares to the transferee company in accordance with the scheme or contract.

Enforcement of duty of company receiver, manager or liquidator to make returns, &c.

53.—(1) If any company or any receiver or manager of the property of a company or the liquidator of any company on whom a notice has been served requiring the company, the receiver, the manager, or the liquidator, as the case may be, to make good any default within the meaning of this section fails to make good the default within fourteen days after the service of the notice, the court may, on an application made to the court by any member, contributory or creditor of the company, or by the registrar of companies, make an order directing the company and any officer of the company or the receiver, manager, or liquidator, as the case may be, to make good the default within such time as may be specified in the

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order, and any such order may provide that all costs of and incidental to the application shall be borne by the company or by any officers of the company responsible for the default, or by the receiver, manager or liquidator, as the case may be.

(2) Nothing in this section shall be taken to prejudice the operation of any enactments imposing penalties on a company or its officers or on receivers, managers, or liquidators in respect of any default.

(3) In sub-sections (1) and (2) of this section the expression " default " means, in the case of a company, failure to comply with any provision of the principal Act which requires a company to file with, deliver or send to the registrar of companies any return, account, or other document or to give notice to him of any matter, and in the case of a receiver, manager, or liquidator, failure to file, deliver or make any return, account or other document, or to give any notice which he is by law required to file, deliver, make or give.

(4) If on an application made to the court by the liquidator of a company it appears to the court that any receiver or manager of the property of the company who has been appointed under the powers contained in any instrument has, after being required at any time by the liquidator so to do, failed to render proper accounts of his receipts and payments and to pay over to the liquidator, the amount properly payable to him, the court may make an order directing the receiver or manager to make good the default within such time as may be specified in the order, and the order may provide that all costs of and incidental to the application shall be borne by the receiver or manager.

Extension of s. 120 of principal Act to certain re-organisations of share capital, &c.

54.—(1) The expression " arrangement " in section one hundred and twenty of the principal Act (which gives power to a company to make compromises and arrangements with its creditors and members) shall be construed as extending to a re-organisation of the share capital of the company by the consolidation of shares of different classes or by the division of shares into shares of different classes or by both those methods.

(2) An order made under sub-section (2) of the said section one hundred and twenty shall have no effect until an office copy of the order has been delivered to the

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registrar of companies for registration, and a copy of every such order shall be annexed to every copy of the memorandum of the company issued after the order has been made, or, in the case of a company not having a memorandum, of every copy so issued of the instrument constituting or defining the constitution of the company.

If a company makes default in complying with the foregoing provision, the company and every officer of the company who is in default shall be liable to a fine not exceeding one pound for each copy in respect of which default is made.

(3) In the said sub-section (2) the words "and voting" shall be inserted after the word "present."

(4) Section forty-five of the principal Act (which relates to re-organisation of share capital) shall cease to have effect.

Provisions for facilitating reconstruction and amalgamation of companies.

55.—(1) Where an application is made to the court under section one hundred and twenty of the principal Act for the sanctioning of a compromise or arrangement proposed between a company and any such persons as are mentioned in that section, and it is shown to the court that the compromise or arrangement has been proposed for the purposes of or in connection with a scheme for the reconstruction of any company or companies or amalgamation of any two or more companies, and that under the scheme the whole or any part of the undertaking or the property of any company concerned in the scheme (in this section referred to as "a transferor company") is to be transferred to another company (in this section referred to as "the transferee company"), the court may, either by the order sanctioning the compromise or arrangement or by any subsequent order, make provision for all or any of the following matters:—

(*a*) the transfer to the transferee company of the whole or any part of the undertaking and of the property or liabilities of any transferor company;

(*b*) the allotting or appropriation by the transferee company of any shares, debentures, policies, or other like interests in that company which under the compromise or arrangement are to be allotted or appropriated by that company to or for any person;

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(*c*) the continuation by or against the transferee company of any legal proceedings pending by or against any transferor company;

(*d*) the dissolution, without winding-up, of any transferor company;

(*e*) the provision to be made for any persons, who within such time and in such manner as the court direct, dissent from the compromise or arrangement;

(*f*) such incidental, consequential and supplemental matters as are necessary to secure that the reconstruction or amalgamation shall be fully and effectively carried out.

(2) Where an order under this section provides for the transfer of property or liabilities, that property shall by virtue of the order be transferred to and vest in, and those liabilities shall by virtue of the order be transferred to and become the liabilities of, the transferee company, and in the case of any property, if the order so directs, freed from any charge which is by virtue of the compromise or arrangement to cease to have effect.

(3) Where an order is made under this section, every company in relation to which the order is made shall cause an office copy thereof to be delivered to the registrar of companies for registration, within seven days after the making of the order, and if default is made in complying with this sub-section the company and every officer of the company who is in default shall be liable to a default fine.

(4) In this section the expression "property" includes property, rights and powers of every description, and the expression "liabilities" includes duties.

(5) Notwithstanding the provisions of sub-section (3) of the said section one hundred and twenty, the expression "company" in this section does not include any company other than a company within the meaning of the principal Act.

Amendment as to private companies.

56.—(1) If any company, being a private company, alters its articles in such manner that they no longer include the provisions which, under section one hundred and twenty-one of the principal Act, are required to be included in the articles of a company in order to constitute it a private company for the purposes of that

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Act, the company shall, as on the date of the alteration, cease to be a private company and shall, within a period of fourteen days after the said date, deliver to the registrar of companies for registration a prospectus or a statement in the form and containing the particulars set out in Part II. of the Second Schedule to this Act.

(2) If default is made in complying with the requirements of this section, the company and every officer of the company who is in default shall be liable to a default fine of fifty pounds.

Commencement of winding-up by the court.

57.—(1) Where before the presentation of a petition for the winding-up of a company by the court a resolution has been passed authorising the voluntary winding-up of the company, the winding-up of the company shall be deemed to have commenced at the time of the passing of the resolution, and unless the court, on proof of fraud or mistake, thinks fit otherwise to direct, all proceedings taken in the voluntary winding-up shall be deemed to have been validly taken.

(2) Section one hundred and ninety-eight of the principal Act shall cease to have effect.

Amendment of s. 143 of principal Act.

58. The following section shall be substituted for section one hundred and forty-three of the principal Act (which deals with the forwarding of a copy of a winding-up order to the Registrar)

> "On the making of a winding-up order, an office copy of the order must forthwith be delivered by the company or otherwise as may be prescribed, to the registrar of companies for registration."

Amendment of s. 144 of principal Act.

59. Section one hundred and forty-four of the principal Act (which relates to the power of the court to stay a winding-up) shall be amended as follows:—

(*a*) after the words "the application" there shall be inserted the words "of the liquidator or"

(*b*) on any application under the said section the court may, before making an order, require the liquidator to furnish to the court a report with respect to any facts or matters which are in his opinion relevant to the application.

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Attendance of director or officer of company at meeting of creditors, &c.

60. In the case of a winding-up by the court, the court shall have power to require the attendance of any director or other officer of the company at any meeting of creditors or of contributories or of a committee of inspection for the purpose of giving information as to the trade, dealings, affairs, or property of the company.

Power to make order as to vesting of company's property.

61. Where a company is being wound up by the court, the court may, on the application of the liquidator, by order direct that all or any part of the property whatsoever belonging to the company or held by trustees on its behalf shall vest in the liquidator by his official name, and thereupon the property to which the order relates shall vest accordingly, and the liquidator may, after giving such indemnity, if any, as the court may direct, bring or defend in his official name any action or other legal proceeding which relates to that property or which it is necessary to bring or defend for the purpose of effectually winding-up the company and recovering its property.

Amendment of s. 174 of principal Act.

62. Section one hundred and seventy-four of the principal Act shall be amended as follows:—

In sub-section (1) after the words "concerning the" there shall be inserted the words "promotion, formation."

Committees of inspection.

63.—(1) When a winding-up order has been made by the court the liquidator shall summon separate meetings of the creditors and contributories of the company for the purpose of determining whether or not an application is to be made to the court for the appointment of a committee of inspection to act with the liquidator, and who are to be the members of the committee if appointed.

(2) The court may make any appointment and order required to give effect to any such determination, and, if there is a difference between the determinations of the meetings of the creditors and contributories in respect of the matters aforesaid the court shall decide the difference and make such order thereon as the court may think fit.

Constitution and proceedings of committee of inspection.

64.—(1) A committee of inspection appointed in pursuance of this Act shall, where a winding-up order has been made by the court, consist of creditors and contributories of the company or persons holding general

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powers of attorney from creditors or contributories in such proportions as may be agreed on by the meetings of creditors and contributories, or as, in case of difference, may be determined by the court:

(2) The committee shall meet at such times as they from time to time appoint, and, failing such appointment, at least once a month, and the liquidator or any member of the committee may also call a meeting of the committee as and when he thinks necessary.

(3) The committee may act by a majority of their members present at a meeting, but shall not act unless a majority of the committee are present.

(4) A member of the committee may resign by notice in writing signed by him and delivered to the liquidator.

(5) If a member of the committee becomes bankrupt, or compounds or arranges with his creditors, or is absent from five consecutive meetings of the committee without the leave of those members who together with himself represent the creditors or contributories, as the case may be, his office shall thereupon become vacant.

(6) A member of the committee may be removed by an ordinary resolution at a meeting of creditors, if he represents creditors, or of contributories, if he represents contributories, of which seven days' notice has been given, stating the object of the meeting.

(7) On a vacancy occurring in the committee the liquidator shall forthwith summon a meeting of creditors or of contributories, as the case may require, to fill the vacancy, and the meeting may, by resolution, re-appoint the same or appoint another creditor or contributory to fill the vacancy.

(8) The continuing members of the committee, if not less than two, may act notwithstanding any vacancy in the committee.

Notice of resolution to wind up voluntarily.

65. The following section shall be substituted for section one hundred and eighty-five of the principal Act (which relates to notices of resolution to wind up voluntarily):—

"(1) When a company has passed a resolution for voluntary winding up it shall within seven days after the passing of the resolution give notice of the resolution by advertisement in the Belfast Gazette.

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"(2) If a company makes default in complying with the provisions of this section, the company and every officer of the company who is in default shall be liable to a default fine and for the purposes of this sub-section the liquidator of the company shall be deemed to be an officer of the company."

Amendment of s. 192 of principal Act.

66. Section one hundred and ninety-two of the principal Act (which gives power to the liquidator of a company to accept shares, &c., as consideration for the sale of the property of a company) shall be amended as follows:—

(1) In sub-section (1) after the words "another company" there shall be inserted the words "whether a company within the meaning of this Act or not";

(2) In sub-section (3) the words "at either of the "meetings held for passing and confirming "the same" shall cease to have effect and the word "passing" shall be substituted for the word "confirmation."

Amendment of s. 195 of principal Act.

67. Section one hundred and ninety-five of the principal Act (which relates to the final meeting and dissolution of a company) shall be amended as follows:—

(1) The following shall be substituted for sub-section (3):—

"(3) Within one week after the meeting, the liquidator shall send to the registrar of companies a copy of the account, and shall make a return to him of the holding of the meeting and of its date, and if the copy is not sent or the return is not made in accordance with this sub-section the liquidator shall be liable to a fine not exceeding five pounds for every day during which the default continues.

"If a quorum is not present at the meeting, the liquidator shall, in lieu of the return hereinbefore mentioned make a return that the meeting was duly summoned and that no quorum was present thereat, and upon such a return being made the provisions of this sub-section as to the making of the return shall be deemed to have been complied with."

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(2) In sub-section (4), for the words "the return "shall forthwith register it" there shall be substituted the words "the account and either "of the returns hereinbefore mentioned shall "forthwith register them."

Amendment as to voluntary winding-up in certain cases.

68.—(1) Sub-sections (2) to (9), both inclusive, of this section shall have effect in relation to every voluntary winding-up, unless at a meeting of the directors of the company held before the date on which the notices of the meeting at which the resolution for the winding-up of the company is to be proposed are sent out, the directors, or, in the case of a company having more than two directors, the majority of the directors of the company, have made a statutory declaration to the effect that they have made a full inquiry into the affairs of the company, and that having so done they have formed the opinion that the company will be able to pay its debts in full within a period not exceeding twelve months from the commencement of the winding up, and unless before the said date the declaration so made has been delivered to the registrar of companies for registration.

(2) The company shall cause a meeting of the creditors of the company to be summoned for the day, or the day next following the day, on which there is to be held the meeting at which the resolution for winding-up the company is to be proposed, and shall cause the notices of the said meeting of creditors to be sent by post to the creditors simultaneously with the sending of the notices of the said meeting of the company.

The company shall cause notice of the meeting of the creditors to be advertised once in the Belfast Gazette and once at least in two local newspapers circulating in the district where the registered office or principal place of business of the company is situate.

(3) The directors of the company shall—

(*a*) cause a full statement of the position of the company's affairs together with a list of the creditors of the company and the estimated amount of their claims to be laid before the meeting of creditors to be held as aforesaid; and

(*b*) appoint one of their number to preside at the said meeting.

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(4) It shall be the duty of the director appointed to preside at the meeting of creditors to attend the meeting and preside thereat.

(5) The creditors and the company at their respective meetings to be held as aforesaid may nominate a person to be liquidator for the purpose of winding up the affairs and distributing the assets of the company, and if the creditors and the company nominate different persons, the person nominated by the creditors shall be liquidator, and if no person is nominated by the creditors the person, if any, nominated by the company shall be liquidator:

Provided that in the case of different persons being nominated any director, member, or creditor of the company may, within seven days after the date on which the nomination was made by the creditors, apply to the court for an order either directing that the person nominated as liquidator by the company shall be liquidator instead of or jointly with the person nominated by the creditors, or appointing some other person to be liquidator instead of the person appointed by the creditors.

(6) The creditors at the meeting to be held as aforesaid or at any subsequent meeting, may, if they think fit, appoint a committee of inspection consisting of not more than five persons, and if such a committee is appointed the company may, either at the meeting at which the resolution for winding-up the company is passed or at any time subsequently in general meeting, appoint such number of persons as they think fit to act as members of the committee not exceeding five in number:

Provided that the creditors may, if they think fit, resolve that all or any of the persons so appointed by the company ought not to be members of the committee of inspection, and, if the creditors so resolve, the persons mentioned in the resolution shall not, unless the court otherwise directs, be qualified to act as members of the committee, and on any application to the court under this provision the court may, if it thinks fit, appoint other persons to act as such members in place of the persons mentioned in the resolution.

Subject to the provisions of this sub-section and to general rules made under section eighty-three of this Act, the provisions of section sixty-four of this Act

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(except sub-section (1)) shall apply with respect to a committee of inspection appointed under this section as they apply with respect to a committee of inspection appointed in a winding-up by the court.

(7) If the meeting of the company at which the resolution for winding-up the company is to be proposed is adjourned and the resolution is passed at an adjourned meeting, any resolution passed at the meeting of the creditors held in pursuance of sub-section (2) of this section shall have effect as if it had been passed immediately after the passing of the resolution for winding-up the company.

(8) In the case of every voluntary winding-up to which the provisions of this section apply, the provisions of the principal Act relating to voluntary winding-up shall have effect subject to the foregoing provisions of this section and to the following modifications :—

(*a*) Paragraph (ii) of section one hundred and eighty-six of the principal Act so far as it gives power to appoint liquidators shall not apply, and the power under the said paragraph of fixing the remuneration of liquidators, and the power under paragraph (iii) of that section of sanctioning the continuance of the powers of the directors of the company, shall be exercisable by the committee of inspection, or if there is no such committee, by the creditors instead of by the company in general meeting :

(*b*) A vacancy occurring in the office of liquidator shall be filled by the creditors instead of in manner provided by section one hundred and eighty-nine of the principal Act :

(*c*) The powers of the liquidator under section one hundred and ninety-two of the principal Act (which relates to the power of the liquidator of a company to accept shares as consideration for the sale of the property of the company) shall not be exercised except with the sanction either of the court or of the committee of inspection :

(*d*) Sub-section (2) of section one hundred and ninety-four and section one hundred and ninety-five of the principal Act shall have effect as though the references therein to general

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meetings of the company included references to meetings of the creditors:

(*e*) Paragraph (*b*) of sub-section (1) of section two hundred and twenty-two of the principal Act shall have effect as though for the words "as the company by extraordinary resolution directs" there were substituted the words "as the committee of inspection or, if there is no such committee, as the creditors of the company may direct."

(9) If default is made—

(*a*) by the company in complying with the requirements of sub-section (2) of this section;

(*b*) by the directors of the company in complying with the requirements of sub-section (3) of this section;

(*c*) by any director of the company in complying with the requirements of sub-section (4) of this section;

the company, directors or director, as the case may be, shall be liable to a fine not exceeding one hundred pounds, and in the case of default by the company, every officer of the company who is in default shall be liable to the like penalty.

(10) Section one hundred and eighty-eight of the principal Act (which relates to the rights of the creditors of a company in voluntary winding-up) and section one hundred and ninety of the principal Act (which provides for the delegation of a company's authority to appoint liquidators) shall cease to have effect.

(11) A voluntary winding-up in the case of which a declaration has been made and delivered in accordance with sub-section (1) of this section is in this Act referred to as "a members' voluntary winding-up," and a voluntary winding-up in the case of which a declaration has not been made and delivered as aforesaid is in this Act referred to as "a creditors' voluntary winding up."

Powers of liquidator.

69. The following shall be substituted for sections one hundred and fifty-one and two hundred and fourteen of the principal Act (which deal respectively with the powers of liquidators and the sanctioning of a general scheme of liquidation):—

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"(1) The liquidator in a winding-up by the court shall have power with the sanction either of the court or of the committee of inspection—

(*a*) to bring or defend any action or other legal proceeding in the name and on behalf of the company:

(*b*) to carry on the business of the company, so far as may be necessary for the beneficial winding-up thereof:

(*c*) to appoint a solicitor or law agent to assist him in the performance of his duties:

(*d*) to pay any classes of creditors in full:

(*e*) to make any compromise or arrangement with creditors or persons claiming to be creditors, or having or alleging themselves to have any claim, present or future, certain or contingent, ascertained or sounding only in damages against the company, or whereby the company may be rendered liable:

(*f*) to compromise all calls and liabilities to calls, debts, and liabilities capable of resulting in debts, and all claims, present or future, certain or contingent, ascertained or sounding only in damages, subsisting or supposed to subsist between the company and a contributory, or alleged contributory, or other debtor or person apprehending liability to the company, and all questions in any way relating to or affecting the assets or the winding up of the company, on such terms as may be agreed, and take any security for the discharge of any such call, debt, liability or claim, and give a complete discharge in respect thereof.

(2) The liquidator in a winding-up by the court shall have power—

(*a*) to sell the real and personal property and things in action of the company by public auction or private contract, with power to transfer the whole thereof to any person or company, or to sell the same in parcels:

(*b*) to do all acts and to execute, in the name and on behalf of the company, all deeds, receipts,

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"and other documents, and for that purpose to use, when necessary, the company's seal:

(*c*) where any contributory has been adjudged bankrupt or has presented a petition for arrangement with his creditors in pursuance of the Bankruptcy Acts (Northern Ireland), 1857 to 1929, to prove, rank, and claim in the bankruptcy or arrangement for any balance against his estate, and to receive dividends in the bankruptcy or arrangement in respect of that balance, as a separate debt due from the bankrupt or arranging debtor and rateably with the other separate creditors:

(*d*) to draw, accept, make, and indorse any bill of exchange or promissory note in the name and on behalf of the company, with the same effect with respect to the liability of the company as if the bill or note had been drawn, accepted, made, or indorsed by or on behalf of the company in the course of its business:

(*e*) to raise on the security of the assets of the company any money requisite:

(*f*) to take out in his official name letters of administration to any deceased contributory, and to do in his official name any other act necessary for obtaining payment of any money due from a contributory or his estate which cannot be conveniently done in the name of the company, and in all such cases the money due shall, for the purpose of enabling the liquidator to take out the letters of administration or recover the money, be deemed to be due to the liquidator himself:

(*g*) to appoint an agent to do any business which the liquidator is unable to do himself:

(*h*) to do all such other things as may be necessary for winding up the affairs of the company and distributing its assets.

(3) The exercise by the liquidator in a winding-up by the court of the powers conferred by this section shall be subject to the control of the court, and any creditor or contributory may apply to the

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"court with respect to any exercise or proposed exercise of any of those powers.

(4) The court may provide by any order that the liquidator may, where there is no committee of inspection, exercise any of the powers mentioned in paragraph (*a*) or paragraph (*b*) of sub-section (1) of this section without the sanction or intervention of the court.

(5) Where a liquidator is provisionally appointed by the court, the court may limit and restrict his powers by the order appointing him.

(6) In the case of a winding-up subject to supervision or of a voluntary winding-up the liquidator may (subject in the case of a winding-up under supervision to any restrictions imposed by the court) exercise without sanction all the powers specified in paragraphs (*a*), (*b*) and (*c*) of sub-section (1) of this section and all the powers specified in sub-section (2) of this section.

(7) In a winding-up other than by the court the liquidator may exercise the powers specified in paragraphs (*d*), (*e*) and (*f*) of sub-section (1) of this section with the sanction following that is to say—

(*a*) In the case of a winding-up subject to supervision with the sanction of the court, or, in a case where before the order the winding-up was a creditors' voluntary winding-up, with the sanction of either the court or the committee of inspection:

(*b*) In the case of a members' voluntary winding-up with the sanction of an extraordinary resolution of the company:

(*c*) In the case of a creditors' voluntary winding-up with the sanction of either the court or the committee of inspection."

Disclaimer of onerous property.

70.—(1) Where any part of the property of a company in liquidation consists of land of any tenure burdened with onerous covenants, of shares or stock in companies, of unprofitable contracts, or of any other property that is unsaleable, or not readily saleable, by reason of its binding the possessor thereof to the performance of any onerous act, or to the payment of any sum of money, the liquidator of the company, notwith-

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standing that he has endeavoured to sell or has taken possession of the property, or exercised any act of ownership in relation thereto, may, with the leave of the court and subject to the provisions of this section, by writing signed by him, at any time within twelve months after the commencement of the winding-up or such extended period as may be allowed by the court, disclaim the property:

Provided that, where any such property has not come to the knowledge of the liquidator within one month after the commencement of the winding-up, the power under this section of disclaiming the property may be exercised at any time within twelve months after he has become aware thereof or such extended period as may be allowed by the court.

(2) The disclaimer shall operate to determine, as from the date of disclaimer, the rights, interests, and liabilities of the company, and the property of the company, in or in respect of the property disclaimed, but shall not, except so far as is necessary for the purpose of releasing the company and the property of the company from liability, affect the rights or liabilities of any other person.

(3) The court, before or on granting leave to disclaim, may require such notices to be given to persons interested, and impose such terms as a condition of granting leave, and make such other order in the matter as the court thinks just.

(4) The liquidator shall not be entitled to disclaim any property under this section in any case where an application in writing has been made to him by any persons interested in the property requiring him to decide whether he will or will not disclaim, and the liquidator has not, within a period of twenty-eight days after the receipt of the application or such further period as may be allowed by the court, given notice to the applicant that he intends to apply to the court for leave to disclaim, and, in the case of a contract, if the liquidator, after such an application as aforesaid, does not within the said period or further period, disclaim the contract, the company shall be deemed to have adopted it.

(5) The court may, on the application of any person who is, as against the liquidator, entitled to the benefit

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or subject to the burden of a contract made with the company, make an order rescinding the contract on such terms as to payment by or to either party of damages for the non-performance of the contract, or otherwise as the court thinks just, and any damages payable under the order to any such person may be proved by him as a debt in the winding-up.

(6) The court may, on an application by any person who either claims any interest in any disclaimed property or is under any liability not discharged by this Act or the principal Act in respect of any disclaimed property and on hearing any such persons as it thinks fit, make an order for the vesting of the property in or the delivery of the property to any persons entitled thereto, or to whom it may seem just that the property should be delivered by way of compensation for such liability as aforesaid, or a trustee for him, and on such terms as the court thinks just, and on any such vesting order being made, the property comprised therein shall vest accordingly in the person therein named in that behalf without any conveyance or assignment for the purpose:

Provided that, where the property disclaimed is of a leasehold nature, the court shall not make a vesting order in favour of any person claiming under the company, whether as under-lessee or as mortgagee by demise, except upon the terms of making that person—

(*a*) subject to the same liabilities and obligations as those to which the company was subject under the lease in respect of the property at the commencement of the winding-up; or

(*b*) if the court thinks fit, subject only to the same liabilities and obligations as if the lease had been assigned to that person at that date;

and in either event (if the case so requires) as if the lease had comprised only the property comprised in the vesting order, and any mortgagee or under-lessee declining to accept a vesting order upon such terms shall be excluded from all interest in and security upon the property, and, if there is no person claiming under the company who is willing to accept an order upon such terms, the court shall have power to vest the estate and interest of the company in the property in any person liable either personally or in a representative character,

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and either alone or jointly with the company to perform the lessee's covenants in the lease, freed and discharged from all estates, incumbrances and interests created therein by the company.

(7) Any person injured by the operation of a disclaimer under this section shall be deemed to be a creditor of the company to the amount of the injury, and may accordingly prove the amount as a debt in the winding-up.

Restriction of rights of creditor in execution or attachment.

71.—(1) Where a creditor has issued execution against the goods or lands of a company or has attached any debt due to the company, and the company is subsequently wound up, he shall not be entitled to retain the benefit of the execution or attachment against the liquidator in the winding-up of the company unless he has completed the execution or attachment before the commencement of the winding-up:

Provided that—

(*a*) where any creditor has had notice of a meeting having been called at which there is to be proposed a resolution under section one hundred and eighty-two of the principal Act to wind up the company voluntarily, the date on which the creditor so had notice shall for the purposes of the foregoing provision be substituted for the date of the commencement of the winding-up; and

(*b*) a person who purchases in good faith under a sale by the sheriff any goods of a company on which an execution has been levied shall in all cases acquire a good title to them against the liquidator.

(2) For the purposes of this section, an execution against goods shall be taken to be completed by seizure and sale, and an attachment of a debt shall be deemed to be completed by receipt of the debt, and an execution against land shall be deemed to be completed by seizure and, in the case of an equitable interest, by the appointment of a receiver.

(3) In this section and the next following section of this Act the expression "goods" includes all chattels personal, and the expression "sheriff" includes any officer charged with the execution of a writ or other process.

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Duties of under-sheriff as to goods taken in execution.

72.—(1) Where any goods of a company are taken in execution and before the sale thereof or the completion of the execution by the receipt or recovery of the full amount of the levy, notice is served on the under-sheriff that a provisional liquidator has been appointed or that a winding-up order has been made or that a resolution has been passed under section one hundred and eighty-two of the principal Act, authorising the company to be wound up voluntarily, the under-sheriff shall, on being so required, deliver the goods and any money seized or received in part satisfaction of the execution to the liquidator, but the costs of the execution shall be a first charge on the goods or money so delivered, and the liquidator may sell the goods, or a sufficient part thereof, for the purpose of satisfying that charge.

(2) Where under an execution in respect of a judgment for a sum exceeding twenty pounds the goods of a company are sold or money is paid in order to avoid sale, the under-sheriff shall deduct the costs of the execution from the proceeds of the sale or the money paid and retain the balance for fourteen days, and if within that time notice is served on him of a petition for the winding-up of the company having been presented or of a meeting having been called at which there is to be proposed a resolution for the voluntary winding-up of the company and an order is made or a resolution is passed, as the case may be, for the winding-up of the company, the under-sheriff shall pay the balance to the liquidator, who shall be entitled to retain it as against the execution creditor.

Frauds by officers of companies which have gone into liquidation.

73. If any person, being at the time of the commission of the alleged offence a director, manager or other officer of a company which is subsequently ordered to be wound up by the court or subsequently passes a resolution under section one hundred and eighty-two of the principal Act authorising the company to be wound up voluntarily—

(*a*) has by false pretences or by means of any other fraud induced any person to give credit to the company; or

(*b*) with intent to defraud creditors of the company, has made or caused to be made any gift or transfer of or charge on, or has caused or connived at the levying of any execution against the property of the company; or

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(c) with intent to defraud creditors of the company, has concealed or removed any part of the property of the company since or within two months before the date of any unsatisfied judgment or order for payment of money obtained against the company;

he shall be guilty of a misdemeanour and shall be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction to imprisonment for a term not exceeding six months.

Offences by officers of companies in liquidation.

74.—(1) If any person, being a past or present director, manager or other officer of a company which at the time of the commission of the offence is being wound up, whether by or under the supervision of the court or voluntarily, or is subsequently ordered to be wound up by the court or passes a resolution under section one hundred and eighty-two of the principal Act authorising the company to be wound up voluntarily—

(*a*) does not to the best of his knowledge and belief fully and truly discover to the liquidator all the property, real and personal, of the company, and how and to whom and for what consideration and when the company disposed of any part thereof, except such part as has been disposed of in the ordinary way of the business of the company; or

(*b*) does not deliver up to the liquidator, or as the liquidator directs, all such part of the real and personal property of the company as is in his custody or under his control, and which he is required by law to deliver up; or

(*c*) does not deliver up to the liquidator, or as the liquidator directs, all books and papers in his custody or under his control belonging to the company and which he is required by law to deliver up; or

(*d*) within twelve months next before the commencement of the winding up or at any time thereafter conceals any part of the property of the company to the value of ten pounds or upwards, or conceals any debt due to or from the company; or

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(*e*) within twelve months next before the commencement of the winding-up or at any time thereafter fraudulently removes any part of the property of the company to the value of ten pounds or upwards; or

(*f*) makes any material omission in any statement relating to the affairs of the company; or

(*g*) knowing or believing that a false debt has been proved by any person under the winding-up, fails for the period of a month to inform the liquidator thereof; or

(*h*) after the commencement of the winding-up prevents the production of any book or paper affecting or relating to the property or affairs of the company; or

(*i*) within twelve months next before the commencement of the winding-up or at any time thereafter, conceals, destroys, mutilates, or falsifies, or is privy to the concealment, destruction, mutilation, or falsification of, any book or paper affecting or relating to the property or affairs of the company; or

(*j*) within twelve months next before the commencement of the winding-up or at any time thereafter makes or is privy to the making of any false entry in any book or paper affecting or relating to the property or affairs of the company; or

(*k*) within twelve months next before the commencement of the winding-up or at any time thereafter fraudulently parts with, alters, or makes any omission in, or is privy to the fraudulent parting with, altering, or making any omission in, any document affecting or relating to the property or affairs of the company; or

(*l*) after the commencement of the winding-up or at any meeting of the creditors of the company within twelve months next before the commencement of the winding-up attempts to account for any part of the property of the company by fictitious losses or expenses; or

(*m*) has within twelve months next before the commencement of the winding-up or at any time thereafter, by any false representation or other

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fraud, obtained any property for or on behalf of the company on credit which the company does not subsequently pay for; or

(*n*) within twelve months next before the commencement of the winding-up or at any time thereafter, under the false pretence that the company is carrying on its business, obtains on credit, for or on behalf of the company, any property which the company does not subsequently pay for; or

(*o*) within twelve months next before the commencement of the winding-up or at any time thereafter pawns, pledges, or disposes of any property of the company which has been obtained on credit and has not been paid for, unless such pawning, pledging, or disposing is in the ordinary way of the business of the company; or

(*p*) is guilty of any false representation or other fraud for the purpose of obtaining the consent of the creditors of the company or any of them to an agreement with reference to the affairs of the company or to the winding-up;

he shall be guilty of a misdemeanour and shall, in the case of the offences mentioned respectively in paragraphs (*m*), (*n*) and (*o*) of this sub-section, be liable on conviction on indictment to penal servitude for a term not exceeding five years, or on summary conviction to imprisonment for a term not exceeding six months, and in the case of any other offence shall be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction to imprisonment for a term not exceeding six months:

Provided that it shall be a good defence to a charge under any of the paragraphs (*a*), (*b*), (*c*), (*d*), (*f*), (*n*) and (*o*), if the accused proves that he had no intent to defraud, and to a charge under any of paragraphs (*h*), (*i*) and (*j*), if he proves that he had no intent to conceal the state of affairs of the company or to defeat the law.

(2) Where any person pawns, pledges or disposes of any property in circumstances which amount to a misdemeanour under paragraph (*o*) of sub-section (1) of this section, every person who takes in pawn or pledge or

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otherwise receives the property knowing it to be pawned, pledged, or disposed of in such circumstances as aforesaid shall be guilty of a misdemeanour, and on conviction thereof liable to be punished in the same way as if he had received the property knowing it to have been obtained in circumstances amounting to a misdemeanour.

(3) For the purposes of this section, the expression "director" shall include any person in accordance with whose directions or instructions the directors of a company have been accustomed to act.

Liability where proper accounts not kept.

75.—(1) If where a company is being wound up it is shown that proper books of account were not kept by the company throughout the period of two years immediately preceding the commencement of the winding-up, every director, manager or other officer of the company who was knowingly a party to or connived at the default of the company shall, unless he shows that he acted honestly or that in the circumstances in which the business of the company was carried on the default was excusable, be liable on conviction on indictment to imprisonment for a term not exceeding one year, or on summary conviction to imprisonment for a term not exceeding six months.

(2) For the purposes of this section, proper books of account shall be deemed not to have been kept in the case of any company if there have not been kept such books or accounts as are necessary to exhibit and explain the transactions and financial position of the trade or business of the company, including books containing entries from day to day in sufficient detail of all cash received and cash paid, and, where the trade or business has involved dealings in goods, statements of the annual stocktakings and (except in the case of goods sold by way of ordinary retail trade) of all goods sold and purchased, showing the goods and the buyers and sellers thereof in sufficient detail to enable those goods and those buyers and sellers to be identified.

Provisions with respect to fraudulent trading.

76.—(1) If in the course of a winding-up it appears that any business of the company has been carried on with intent to defraud creditors of the company or creditors of any other person or for any fraudulent purpose, the court, on the application of the liquidator, or any creditor or contributory of the company, may, if

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it thinks proper so to do, declare that any of the directors, whether past or present, of the company who were knowingly parties to the carrying on of the business in manner aforesaid shall be personally responsible, without any limitation of liability, for all or any of the debts or other liabilities of the company as the court may direct.

(2) Where the court makes any such declaration it may give such further directions as it thinks proper for the purpose of giving effect to that declaration, and in particular may make provision for making the liability of any such director under the declaration a charge on any debt or obligation due from the company to him, or on any mortgage or charge or any interest in any mortgage or charge on any assets of the company held by or vested in him, or any company or person on his behalf, or any person claiming as assignee from or through the director, company or person, and may from time to time make such further order as may be necessary for the purpose of enforcing any charge imposed under this sub-section.

For the purpose of this sub-section the expression "assignee" includes any person to whom or in whose favour by the directions of the director the debt, obligation, mortgage or charge was created, issued or transferred or the interest created, but does not include an assignee for valuable consideration (not including consideration by way of marriage) given in good faith, and without notice of any of the matters on the ground of which the declaration is made.

(3) Where any business of a company is carried on with such intent or for such purpose as is mentioned in sub-section (1) of this section, every director of the company who was knowingly a party to the carrying on of the business in manner aforesaid, shall be liable on conviction on indictment to imprisonment for a term not exceeding one year.

(4) The court may, in the case of any person in respect of whom a declaration has been made under sub-section (1) of this section or who has been convicted of an offence under sub-section (3) of this section, order that that person shall not, without the leave of the court, be a director of or in any way, whether directly or indirectly, be concerned in or take part in the management of a company for such period, not exceeding five years,

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from the date of the declaration or of the conviction, as the case may be, as may be specified in the order, and if any person acts in contravention of an order made under this sub-section he shall, in respect of each offence, be liable on conviction on indictment to imprisonment for a term not exceeding two years, or on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred pounds, or to both such imprisonment and fine.

In this sub-section the expression "the court" in relation to the making of an order, means the court by which the declaration was made or the court before which the person was convicted, as the case may be, and in relation to the granting of leave means the court having jurisdiction to wind up the company.

(5) For the purposes of this section, the expression "director" shall include any person in accordance with whose directions or instructions the directors of a company have been accustomed to act.

(6) The provisions of this section shall have effect notwithstanding that the person concerned may be criminally liable in respect of the matters on the ground of which the declaration is to be made.

(7) It shall be the duty of the liquidator to appear on the hearing of an application for leave under sub-section (4) of this section, and on the hearing of an application under that sub-section or under sub-section (1) of this section the liquidator may himself give evidence or call witnesses.

Prosecution of delinquent directors.

77.—(1) If it appears to the court in the course of a winding-up by, or subject to the supervision of, the court that any past or present director, manager or other officer, or any member, of the company has been guilty of any offence in relation to the company for which he is criminally liable, the court may, either on the application of any person interested in the winding-up or of its own motion direct the liquidator to refer the matter to the Attorney General for Northern Ireland (in this section referred to as "the Attorney General").

(2) If it appears to the liquidator in the course of a voluntary winding-up that any past or present director, manager or other officer, or any member, of the company has been guilty of any offence in relation to the company

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for which he is criminally liable, he shall forthwith report the matter to the Attorney General and shall furnish to the Attorney General such information and give to him such access to and facilities for inspecting and taking copies of any documents (being information or documents in the possession or under the control of the liquidator and relating to the matter in question) as the Attorney General may require.

If on any report to the Attorney General under this sub-section it appears to him that the case is not one in which proceedings ought to be taken by him, he shall inform the liquidator accordingly.

(3) If it appears to the court in the course of a voluntary winding-up that any past or present director, manager or other officer, or any member, of the company has been guilty as aforesaid and that no report with respect to the matter has been made by the liquidator to the Attorney General under the last preceding sub-section, the court may, on the application of any person interested in the winding-up or of its own motion, direct the liquidator to make such a report, and on a report being made accordingly the provisions of this section shall have effect as though the report had been made in pursuance of the provisions of the last preceding sub-section.

(4) If, where any matter is reported or referred to the Attorney General under this section, he considers that the case is one in which a prosecution ought to be instituted and, further, that it is desirable in the public interest that the proceedings in the prosecution should be conducted by him, he shall institute proceedings accordingly, and it shall be the duty of the liquidator and of every officer and agent of the company past and present (other than the defendant in the proceedings) to give to him all assistance in connection with the prosecution which he is reasonably able to give.

If any person fails or neglects to give assistance in manner required by this sub-section, the court may, on the application of the Attorney General, direct that person to comply with the requirements of this sub-section, and where any such application is made with respect to a liquidator the court may, unless it appears that the failure or neglect to comply was due to the

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liquidator not having in his hands sufficient assets of the company to enable him so to do, direct that the costs of the application shall be borne by the liquidator personally.

For the purposes of this sub-section, the expression "agent" in relation to a company shall be deemed to include any banker or solicitor of the company and any person employed by the company as auditor, whether that person is or is not an officer of the company.

Amendment of s. 215 of principal Act.

78. Sub-section (4) of section two hundred and fifteen of the principal Act (which empowers the court to assess damages against delinquent directors and others) shall cease to have effect.

Provisions as to liability of directors, &c.

79.—(1) Subject as hereinafter provided, any provision, whether contained in the articles of a company or in any contract with a company or otherwise, for exempting any director, manager or officer of the company or any person (whether an officer of the company or not) employed by the company as auditor from, or indemnifying him against, any liability which by virtue of any rule of law would otherwise attach to him in respect of any negligence, default, breach of duty or breach of trust of which he may be guilty in relation to the company shall be void:

Provided that—

(*a*) in relation to any such provision which is in force at the date of the commencement of this Act, this sub-section shall have effect only on the expiration of a period of six months from that date; and

(*b*) nothing in this sub-section shall operate to deprive any person of any exemption or right to be indemnified in respect of anything done or omitted to be done by him while any such provision was in force; and

(*c*) notwithstanding anything in this sub-section, a company may, in pursuance of any such provision as aforesaid, indemnify any such director, manager, officer or auditor against any liability incurred by him in defending any proceedings, whether civil or criminal, in which judgment is given in his favour or in which he is acquitted or

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in connection with any application under section two hundred and seventy-nine of the principal Act or under this section in which relief is granted to him by the court.

(2) Section two hundred and seventy-nine of the principal Act shall apply to the managers and officers of a company and to persons employed by a company as auditors, whether they are or are not officers of the company, as it applies to the directors of a company, and shall have effect as though for the words "negligence or breach of trust" wherever they occur, there were substituted the words "negligence, default, breach of duty or breach of trust," and the court in determining in pursuance of that section whether any person ought fairly to be excused for any negligence, default, breach of duty, or breach of trust shall take into consideration all the circumstances of the case, including those connected with his appointment.

(3) Where any case to which the said section two hundred and seventy-nine applies is being tried by a judge with a jury, the judge, after hearing the evidence, may, if he is satisfied that the defendant ought in pursuance of the said section to be relieved either in whole or in part from the liability sought to be enforced against him, withdraw the case in whole or in part from the jury and forthwith direct judgment to be entered for the defendant on such terms as to costs or otherwise as the judge may think proper.

(4) Where any person being a director, manager, officer, or auditor of a company has reason to apprehend that any claim will or might be made against him in respect of any negligence, default, breach of duty or breach of trust, he may apply to the court for relief, and the court on any such application shall have the same power to relieve him as under section two hundred and seventy-nine of the principal Act it would have had if it had been a court before which proceedings against that person for negligence, default, breach of duty or breach of trust had been brought.

Information as to pending liquidations.

80.—(1) If where a company is being wound up the winding-up is not concluded within one year after its commencement, the liquidator shall, at such intervals as may be prescribed, until the winding up is concluded,

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send to the registrar of companies a statement in the prescribed form and containing the prescribed particulars with respect to the proceedings in and position of the liquidation.

(2) Any person stating himself in writing to be a creditor or contributory of the company shall be entitled, by himself or by his agent, at all reasonable times, on payment of the prescribed fee, to inspect the statement, and to receive a copy thereof or extract therefrom.

(3) If a liquidator fails to comply with this section, he shall be liable to a fine not exceeding fifty pounds for each day during which the default continues, and any person untruthfully stating himself as aforesaid to be a creditor or contributory shall be guilty of a contempt of court, and shall, on the application of the liquidator, be punishable accordingly.

Notice by liquidator of his appointmen in a winding up by the court.

81.—(1) The liquidator in a winding up by the court shall, within twenty-one days after his appointment, deliver to the registrar of companies a notice of his appointment in the form prescribed by the Ministry of Commerce.

(2) If the liquidator fails to comply with the requirements of this section he shall be liable to a default fine :

Provided that the requirements of this section shall be deemed to be satisfied if an office copy of the court order appointing the liquidator has been received by the registrar of companies.

Unclaimed dividends etc., to be lodged in court.

82.—(1) Where a company registered in Northern Ireland has been wound up voluntarily and is about to be dissolved the liquidator shall lodge to such account and in such manner as may be prescribed by general rules made under section eighty-three of this Act the whole unclaimed dividends and unapplied or undistributable balances.

(2) Any application by a person claiming to be entitled to any dividend or payment out of a lodgment made in pursuance of the provisions of sub-section (1) of this section, and any payment out of such lodgment in satisfaction of such claim shall be made in manner prescribed by general rules made under section eighty-three of this Act.

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(3) At the expiry of seven years from the date of lodgment of any unclaimed dividend or unapplied balance deposited in pursuance of this section, the amount of such lodgment remaining unclaimed shall be paid into the Exchequer of Northern Ireland, and when the court is satisfied that any person claiming is entitled to any dividend or payment out of the moneys paid into the said Exchequer, the court may order payment of the same and the Ministry of Finance shall issue out of the Consolidated Fund of Northern Ireland or the growing produce thereof such sum as may appear to the said Ministry to be necessary to provide for the said payment.

Rules for winding up in Northern Ireland.

83. The authority having power to make rules for the Supreme Court of Northern Ireland shall have power to make general rules for carrying into effect the objects of the principal Act and this Act so far as relates to the winding up of companies in Northern Ireland.

Accounts to contain particulars as to loans to directors, &c.

84.—(1) The accounts which in pursuance of this Act are annually to be laid before every company in general meeting shall contain particulars showing—

(*a*) the amount of any loans which during the period to which the accounts relate have been made either by the company or by any other person under a guarantee from or on a security provided by the company to any director or officer of the company, including any such loans which were repaid during the said period ; and

(*b*) the amount of any loans made in manner aforesaid to any director or officer at any time before the period aforesaid and outstanding at the expiration thereof :

Provided that the foregoing provisions shall not apply—

(i) in the case of a company the ordinary business of which includes the lending of money, to a loan made by the company in the ordinary course of its business ; or

(ii) to a loan made by the company to any employee of the company if the loan does not exceed two thousand pounds and is certified by the directors of the company to have been made in accordance with any practice adopted or about to be adopted

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by the company with respect to loans to its employees:

(*c*) the total of the amount paid to the directors as remuneration for their services, inclusive of all fees, percentages, or other emoluments, paid to or receivable by them by or from the company or by or from any subsidiary company:

Provided that this provision shall not apply in relation to a managing director of the company, and in the case of any other director who holds any salaried employment or office in the company there shall not be required to be included in the said total amount any sums paid to him except sums paid by way of directors' fees.

(2) If in the case of any such accounts as aforesaid the requirements of this section are not complied with, it shall be the duty of the auditors of the company by whom the accounts are examined to include in their report on the balance sheet of the company (so far as they are reasonably able to do so) a statement giving the required particulars.

Statement as to remuneration of directors to be furnished to shareholders.

85.—(1) Subject as hereinafter provided, the directors of a company shall, on a demand in that behalf made to them in writing by members of the company entitled to not less than one-fourth of the aggregate number of votes to which all the members of the company are together entitled, furnish to all the members of the company within a period of one month from the receipt of the demand a statement, certified as correct, or with such qualifications as may be necessary, by the auditors of the company, showing as respects each of the last three preceding years in respect of which the accounts of the company have been made up the aggregate amount received in that year by way of remuneration or other emoluments by persons being directors of the company, whether as such directors or otherwise in connection with the management of the affairs of the company, and there shall in respect of any such director who is—

(*a*) a director of any other company which is in relation to the first-mentioned company a subsidiary company within the meaning of section forty-one of this Act; or

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(*b*) by virtue of the nomination, whether direct or indirect, of the company a director of any other company;

be included in the said aggregate amount any remuneration or other emoluments received by him for his own use whether as a director of, or otherwise in connection with the management of the affairs of that other company:

Provided always that—

(*a*) a demand for a statement under this section shall be of no effect if the company within one month after the date on which the demand is made resolve that the statement shall not be furnished; and

(*b*) it shall be sufficient to state the total aggregate of all sums paid to or other emoluments received by all the directors in each year without specifying the amount received by any individual.

(2) In computing for the purpose of this section the amount of any remuneration or emoluments received by any director, the amount actually received by him shall, if the company has paid on his behalf any sum by way of income tax (including sur-tax) in respect of the remuneration or emoluments, be increased by the amount of the sum so paid.

(3) If any director fails to comply with the requirements of this section, he shall be liable to a fine not exceeding fifty pounds.

(4) In this section and in the last preceding section of this Act, the expression "emoluments" includes fees, percentages and other payments made or consideration given directly or indirectly to a director as such and the money value of any allowances or perquisites belonging to his office.

Disclosure by directors of interest in contracts.

86.—(1) Subject to the provisions of this section, it shall be the duty of any director of a company who is in any way, whether directly or indirectly, interested in a contract or proposed contract with the company to declare the nature of his interest at a meeting of the directors of the company.

(2) In the case of a proposed contract the declaration required by this section to be made by a director shall

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be made at the meeting of the directors at which the question of entering into the contract is first taken into consideration, or if the director was not at the date of that meeting interested in the proposed contract, at the next meeting of the directors held after he became so interested, and in a case where the director becomes interested in a contract after it is made, the said declaration shall be made at the first meeting of the directors held after the director becomes so interested.

(3) For the purpose of this section, a general notice given to the directors of a company by any director to the effect that he is a member of a specified company or firm and is to be regarded as interested in any contract which may, after the date of the notice, be made with that company or firm shall be deemed to be a sufficient declaration of interest in relation to any contract so made.

(4) Any director who fails to comply with the provisions of this section shall be liable to a fine not exceeding one hundred pounds.

(5) Nothing in this section shall be taken to prejudice the operation of any rule of law restricting directors of a company from having any interest in contracts with the company.

Declaration of law as to payments received by directors for loss of office or on retirement.

87.—(1) It is hereby declared that it is not lawful in connection with the transfer of the whole or any part of the undertaking or property of a company for any payment to be made to any director of the company by way of compensation for loss of office or as consideration for or in connection with his retirement from office unless particulars with respect to the proposed payment, including the amount thereof, have been disclosed to the members of the company and the proposal approved by the company in general meeting.

(2) Where a payment which is hereby declared to be illegal is made to a director of the company the amount received shall be deemed to have been received by him in trust for the company.

(3) Where a payment is to be made as aforesaid to a director of a company in connection with the transfer to any persons, as a result of an offer made to the general body of shareholders, of all or any of the shares in the company, it shall be the duty of that

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director to take all reasonable steps to secure that particulars with respect to the proposed payment, including the amount thereof, shall be included in or sent with any notice of the offer made for their shares which is given to any shareholders.

(4) If any such director fails to take reasonable steps as aforesaid, or if any person who has been properly required by any such director to include the said particulars in or send them with any such notice fails so to do, he shall be liable to a fine not exceeding twenty-five pounds, and if the requirements of the last foregoing sub-section are not complied with in relation to any such payment as is mentioned in the said sub-section any sum received by the director on account of the payment shall be deemed to have been received by him in trust for any persons who have sold their shares as a result of the offer made.

(5) If in connection with any such transfer as aforesaid the price to be paid to any director of the company whose office is to be abolished or who is to retire from office for any shares in the company held by him is in excess of the price which could at the time have been obtained by other holders of the like shares or any valuable consideration is given to any such director, the excess or the money value of the consideration, as the case may be, shall, for the purposes of this section, be deemed to have been a payment made to him by way of compensation for loss of office or as consideration for or in connection with his retirement from office.

(6) Nothing in this section shall be taken to prejudice the operation of any rule of law requiring disclosure to be made with respect to any such payments as are mentioned in this section or with respect to any other like payments made or to be made to the directors of a company.

Provisions as to assignment of office by directors

88. If in the case of any company provision is made by the articles or by any agreement entered into between any person and the company for empowering a director or manager of the company to assign his office as such to another person, any assignment of office made in pursuance of the said provision shall, notwithstanding anything to the contrary contained in the said provision, be of no effect unless and until it is approved by a special resolution of the company.

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Provisions as to undischarged bankrupts acting as directors.

89.—(1) If any person being an undischarged bankrupt acts as director of, or directly or indirectly takes part in or is concerned in the management of, any company except with the leave of the court by which he was adjudged bankrupt, he shall be liable on conviction on indictment to imprisonment for a term not exceeding two years or on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding five hundred pounds or to both such imprisonment and fine:

Provided that a person shall not be guilty of an offence under this section by reason that he, being an undischarged bankrupt, has acted as director of, or taken part or been concerned in the management of, a company, if he was at the passing of this Act acting as director of, or taking part, or being concerned in the management of that company and has continuously so acted, taken part, or been concerned since the passing of this Act, and the bankruptcy was prior to the passing of this Act.

(2) In this section the expression "company" includes an unregistered company and a company incorporated outside Northern Ireland which has an established place of business within Northern Ireland.

Companies, &c., disqualified for acting as liquidator, auditor or receiver of a company.

90.—(1) No body corporate shall, unless acting under an appointment made before the passing of this Act, be qualified to act as liquidator (whether in a winding-up by or under the supervision of the court or in a voluntary winding up), auditor or receiver of the property of a company, and any appointment made in contravention of this provision shall be void.

(2) Any body corporate which in contravention of the provisions of this section acts as such liquidator, auditor or receiver as aforesaid, shall be liable to a fine not exceeding one hundred pounds.

Provisions as to auditors.

91.—(1) No person being the partner or in the employment of any officer of a company shall, unless the company is a private company, be qualified for appointment as auditor of the company.

(2) The following shall be substituted for subsection (5) of section one hundred and twelve of the principal Act:—

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"(5) Subject as hereinafter provided, the first auditors of the company may be appointed by the directors at any time before the first annual general meeting, and auditors so appointed shall hold office until that meeting:

Provided that—

(*a*) the company may at a general meeting of which notice has been served on the auditors in the same manner as on members of the company remove any such auditors and appoint in their place any other persons being persons who have been nominated for appointment by any member of the company and of whose nomination notice has been given to the members of the company not less than seven days before the date of the meeting; and

(*b*) if the directors fail to exercise their powers under this sub-section, the company in general meeting may appoint the first auditors, and thereupon the said powers of the directors shall cease."

(3) In sub-section (7) of the said section one hundred and twelve the words "first annual general meeting" shall be substituted for the words "statutory meeting" and in sub-section (4) of the said section the words "member" and "members" shall be substituted for the words "shareholder" and "shareholders."

(4) The auditors of a company shall receive notice of, and be entitled to attend any general meeting of the company at which any accounts which have been examined or reported on by them are to be laid before the company and to make any statement or explanation they desire with respect to the accounts.

Notification that a company is in liquidation.

92.—(1) Where a company is being wound up, whether by or under the supervision of the court or voluntarily, or where a receiver or manager of the property of a company has been appointed, every invoice, order for goods or business letter issued by or on behalf of the company or a liquidator of the company or the receiver or manager, being a document on or in which the name of the company appears, shall contain a state-

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ment that the company is being wound up or that a receiver or manager has been appointed, as the case may be.

(2) If default is made in complying with the requirements of this section, the company and every director, manager, secretary or other officer of the company, and every liquidator of the company and every receiver or manager, who knowingly and wilfully authorises or permits the default shall be liable to a fine of twenty pounds.

Amendment of subs. (6) of s. 243 of principal Act.

93. At the end of sub-section (6) of section two hundred and forty-three of the principal Act (which provides for the inspection and the issue of certified copies of documents kept by the registrar of companies) there shall be inserted the following proviso:—

"Provided that, where a company has been dissolved under this Act, the registrar may, at any time after the expiration of two years from the date of the dissolution, direct that any documents in his custody relating to that company may, subject to the permission of the Minister of Finance and to any rules made under the Public Records Act (Northern Ireland) 1923, be removed to the Public Record Office of Northern Ireland, and documents in respect of which any such direction is given shall be disposed of in accordance with the provisions of the said Act, and the rules made thereunder."

13&14Geo.5, c. 20.

Requirements as to companies established outside Northern Ireland.

94.—(1) This section shall apply to all companies incorporated outside Northern Ireland which after the commencement of this Act establish a place of business within Northern Ireland or have before the commencement of this Act established a place of business within Northern Ireland and continue to have an established place of business within Northern Ireland at the commencement of this Act.

(2) Companies incorporated outside Northern Ireland which after the commencement of this Act establish a place of business within Northern Ireland shall within one month from the establishment of the place of business deliver to the registrar of companies for registration—

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(*a*) a certified copy of the charter, statutes, or memorandum and articles of the company, or other instrument constituting or defining the constitution of the company, and, if the instrument is not written in the English language a certified translation thereof;

(*b*) a list of the directors of the company containing such particulars with respect to the directors as are required under section seventy-five of the principal Act to be contained with respect to directors in the register of the directors of a company;

(*c*) The names and addresses of some one or more persons resident in Northern Ireland authorised to accept on behalf of the company service of process and any notices required to be served on the company;

and in the event of any alteration being made in any such instrument, or in the directors, or in the particulars contained in the list of the directors, or in the names and addresses of the persons authorised to accept service on behalf of the company, the company shall within the prescribed time deliver to the registrar for registration a return containing the prescribed particulars of the alteration.

(3) Companies incorporated outside Northern Ireland which, before the commencement of this Act established a place of business and at the commencement of this Act continue to have a place of business within Northern Ireland, shall, within one month from the commencement of this Act, deliver to the registrar for registration the documents and particulars specified in the last foregoing sub-section.

Provided that this sub-section shall not apply to any company that has already delivered to the registrar the documents and particulars specified in section two hundred and seventy-four of the principal Act.

(4) Every company to which this section applies shall in every calendar year make out a balance sheet in such form, and containing such particulars and including such documents, as under the provisions of this Act it would, if it had been a company within the meaning of the principal Act, have been required to make out and lay before the company in general meeting, and deliver

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a copy of that balance sheet to the registrar for registration. If any such balance sheet is not written in the English language, there shall be annexed to it a certified translation thereof.

This sub-section shall not apply to any company having provisions in its constitution that would entitle it to rank as a private company if it had been registered in Northern Ireland.

(5) Every company to which this section applies shall—

(*a*) in every prospectus inviting subscriptions for shares or debentures in Northern Ireland state the country in which the company is incorporated; and

(*b*) conspicuously exhibit on every place where it carries on business in Northern Ireland the name of the company and the country in which the company is incorporated; and

(*c*) cause the name of the company and the country in which the company is incorporated to be stated in legible characters in all bill heads and letter paper, and in all notices, advertisements and other official publications of the company; and

(*d*) if the liability of the company is limited, cause notice of that fact to be stated in legible characters in every such prospectus as aforesaid, and in all bill heads, letter paper, notices, advertisements and other official publications of the company in Northern Ireland and to be affixed on every place where it carries on its business:

Provided that the provisions of paragraphs (*b*) and (*c*) of this sub-section shall not apply to a company incorporated in Great Britain.

(6) Any process or notice required to be served on the company shall be sufficiently served if addressed to any person whose name has been delivered to the registrar under this section and left at or sent by post to the address which has been so delivered:

Provided that—

(*a*) where any such company makes default in delivery to the registrar of the name and address of a person resident in Northern

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Ireland who is authorised to accept on behalf of the company service of process or notices; or

(*b*) if at any time all the persons whose names and addresses have been so delivered are dead or have ceased so to reside, or refuse to accept service on behalf of the company; or for any reason cannot be served;

a document may be served on the company by leaving it at or sending it by post to any place of business established by the company in Northern Ireland.

(7) If any company to which this section applies ceases to have a place of business in Northern Ireland it shall forthwith give notice of the fact to the registrar of companies and as from the date on which the notice is so given the obligation of the company to deliver any document to the registrar shall cease.

(8) If any company to which this section applies fails to comply with any of the foregoing provisions of this section, the company and every officer or agent of the company, shall be liable to a fine not exceeding fifty pounds, or in the case of a continuing offence, five pounds for every day during which the default continues.

(9) For the purposes of this section—

The expression "certified" means certified in the prescribed manner to be a true copy or a correct translation;

The expression "director" in relation to a company includes any person in accordance with whose directions or instructions the directors of the company are accustomed to act;

The expression "place of business" includes a share transfer or share registration office;

The expression "prospectus" means any prospectus, notice, circular, advertisement, or other invitation, offering to the public for subscription or purchase any shares or debentures of the company.

(10) There shall be paid to the registrar of companies for registering any document required by this section to be delivered to him for registration a fee of five shillings or such smaller fee as may be prescribed.

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(11) Section two hundred and seventy-four of the principal Act (which deals with requirements as to companies established outside Northern Ireland) shall cease to have effect.

Amendment of s. 275 of principal Act.

95. In section two hundred and seventy-five of the principal Act (which deals with the power of companies incorporated in British possessions to hold lands) references to paragraphs (*a*), (*b*) and (*c*) of section two hundred and seventy-four of the principal Act shall be construed as references to paragraphs (*a*), (*b*) and (*c*) of sub-section (2) of the last foregoing section.

Restrictions on offering of shares for subscription or sale.

96.—(1) It shall not be lawful for any person to go from house to house offering shares for subscription or purchase to the public or any member of the public.

In this sub-section the expression " house " shall not include an office used for business purposes.

(2) Subject as hereinafter provided, it shall not be lawful to make an offer in writing to any member of the public (not being a person whose ordinary business or part of whose ordinary business it is to buy or sell shares, whether as principal or agent) of any shares for purchase unless the offer is accompanied by a statement in writing (which must be signed by the person making the offer and dated) containing such particulars as are required by this section to be included therein and otherwise complying with the requirements of this section, or, in the case of shares in a company incorporated outside the United Kingdom either by such a statement as aforesaid, or by such a prospectus as complies with the provisions of the next following two sections of this Act.

Provided that the provisions of this sub-section shall not apply—

(*a*) where the shares to which the offer relates are shares which are quoted on, or in respect of which permission to deal has been granted by, any recognised stock exchange in Great Britain or Northern Ireland, and the offer so states and specifies the stock exchange ; or

(*b*) where the shares to which the offer relates are shares which a company has allotted or agreed to allot with a view to their being offered for sale to the public ; or

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(*c*) where the offer was made only to persons with whom the person making the offer has been in the habit of doing regular business in the purchase or sale of shares.

(3) The written statement aforesaid shall not contain any matter other than the particulars required by this section to be included therein, and shall not be in characters less large or less legible than any characters used in the offer or in any document sent therewith.

(4) The said statement shall contain particulars with respect to the following matters:—

(*a*) whether the person making the offer is acting as principal or agent, and if as agent the name of his principal and an address in Great Britain or Northern Ireland where that principal can be served with process;

(*b*) the date on which and the country in which the company was incorporated, and the address of its registered or principal office in Great Britain or Northern Ireland;

(*c*) the authorised share capital of the company and the amount thereof which has been issued, the classes into which it is divided, and the rights of each class of shareholders in respect of capital, dividends and voting;

(*d*) the dividends, if any, paid by the company on each class of shares during each of the three financial years immediately preceding the offer, and if no dividend has been paid in respect of shares of any particular class during any of those years, a statement to that effect;

(*e*) the total amount of any debentures issued by the company and outstanding at the date of the statement, together with the rate of interest payable thereon;

(*f*) the names and addresses of the directors of the company;

(*g*) whether or not the shares offered are fully paid up, and, if not, to what extent they are paid up;

(*h*) whether or not the shares are quoted on, or permission to deal therein has been granted by any recognised stock exchange in Great Britain or Northern Ireland or elsewhere, and, if so, which, and, if not, a statement that they

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are not so quoted or that no such permission has been granted;

(*i*) where the offer relates to units, particulars of the names and addresses of the persons in whom the shares represented by the units are vested, the date of and the parties to any document defining the terms on which those shares are held, and an address in Great Britain or Northern Ireland where that document or a copy thereof can be inspected.

In this sub-section the expression "company" means the company by which the shares to which the statement relates were or are to be issued.

(5) If any person acts, or incites, causes or procures any person to act, in contravention of this section, he shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two hundred pounds or to both such imprisonment and fine, and in the case of a second or subsequent offence to imprisonment for a term not exceeding twelve months or to a fine not exceeding five hundred pounds, or to both such imprisonment and fine.

(6) Where a person convicted of an offence under this section is a company (whether a company within the meaning of the principal Act or not), every director and every officer concerned in the management of the company shall be guilty of the like offence unless he proves that the act constituting the offence took place without his knowledge or consent.

(7) In this section, unless the context otherwise requires, the expression "shares" means the shares of a company, whether a company within the meaning of the principal Act or not, and includes debentures and units, and the expression "unit" means any right or interest (by whatever name called) in a share, and for the purposes of this section a person shall not in relation to a company be regarded as not being a member of the public by reason only that he is a holder of shares in the company or a purchaser of goods from the company.

(8) If any person is convicted of having made an offer in contravention of the provisions of this section, the court before which he is convicted may order that any contract made as a result of the offer shall be void, and, where it makes any such order, may give such con-

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sequential directions as it thinks proper for the repayment of any money or the retransfer of any shares.

Where the court makes an order under this subsection (whether with or without consequential directions) an appeal against the order and the consequential directions, if any, shall lie to such division or court of the Supreme Court as may be prescribed by rules of that Court.

Provisions with respect to prospectuses of foreign companies inviting subscriptions for shares or offering shares for sale.

97.—(1) It shall not be lawful for any person—

(*a*) to issue, circulate or distribute in Northern Ireland any prospectus offering for subscription shares in or debentures of a company incorporated or to be incorporated outside the United Kingdom whether the company has or has not established, or when formed will or will not establish, a place of business in Great Britain or Northern Ireland, unless—

(i) before the issue, circulation or distribution of the prospectus in Northern Ireland a copy thereof, certified by the chairman and two other directors of the company as having been approved by resolution of the managing body, has been delivered to the registrar of companies as defined in this Act or to the registrar of companies within the meaning of the Companies Act, 1929, passed by the Parliament of the United Kingdom;

(ii) the prospectus states on the face of it that the copy has been so delivered;

(iii) the prospectus is dated;

(iv) the prospectus otherwise complies with the requirements of the next following section; or

(*b*) to issue to any person in Northern Ireland a form of application for shares in or debentures of such a company or intended company as aforesaid unless the form is issued with a prospectus which complies with the provisions of this and the next following section:

Provided that this provision shall not apply if it is shown that the form of application was issued in con-

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nection with a bona fide invitation to a person to enter into an underwriting agreement with respect to the shares or debentures.

(2) This section shall not apply to the issue to existing members or debenture holders of a company of a prospectus or form of application relating to shares in or debentures of the company, whether an applicant for shares or debentures will or will not have the right to renounce in favour of other persons, but, subject as aforesaid, this section shall apply to a prospectus or form of application whether issued on or with reference to the formation of a company or subsequently.

(3) Where any document by which any shares in or debentures of a company incorporated outside the United Kingdom are offered for sale to the public would, if the company concerned had been a company within the meaning of the principal Act, have been deemed by virtue of section thirty of this Act to be a prospectus issued by the company, that document shall be deemed to be, for the purpose of this section, a prospectus issued by the company.

(4) An offer of shares or debentures for subscription or sale to any person whose ordinary business or part of whose ordinary business it is to buy or sell shares or debentures, whether as principal or agent, shall not be deemed to be an offer to the public for the purposes of this section.

(5) Section eighty-four of the principal Act (which relates to liability for statements in a prospectus) shall extend to every prospectus to which this section applies.

(6) Any person who is knowingly responsible for the issue, circulation or distribution of any prospectus or for the issue of a form of application for shares or debentures in contravention of the provisions of sub-section (1) of this section shall be liable to a fine not exceeding five hundred pounds.

(7) In this and in the next following section and in the application of the First Schedule to this Act to a prospectus to which the said sections apply the expressions "prospectus," "shares," and "debentures" have the same meanings as when used in relation to a company incorporated under the principal Act.

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Requirements as to prospectus.

98.—(1) Every prospectus to which the last foregoing section applies in addition to complying with the provisions of sub-paragraphs (ii) and (iii) of paragraph (*a*) of sub-section (1) of the said section must—

(*a*) contain particulars with respect to the following matters:—

(i) the objects of the company;

(ii) the instrument constituting or defining the constitution of the company;

(iii) the enactments, or provisions having the force of an enactment, by or under which the incorporation of the company was effected;

(iv) an address in Great Britain or Northern Ireland where the said instrument, enactments or provisions, or copies thereof, and if the same are in a foreign language a translation thereof certified in the prescribed manner, can be inspected;

(v) the date on which and the country in which the company was incorporated;

(vi) whether the company has established a place of business in Great Britain or Northern Ireland, and, if so, the address of its principal office in Great Britain or Northern Ireland:

Provided that the provisions of sub-paragraphs (i), (ii), (iii) and (iv) of this paragraph shall not apply in the case of a prospectus issued more than two years after the date at which the company is entitled to commence business.

(*b*) subject to the provisions of this section, state the matters specified in Part I. of the First Schedule to this Act (other than those specified in paragraph 1 of the said Part I.) and set out the reports specified in Part II. of that Schedule subject always to the provisions contained in Part III. of the said Schedule:

Provided that—

(i) where any prospectus to which this section applies is published as a newspaper advertisement, it shall be a sufficient compliance with the requirement that the prospectus must specify

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the objects of the company if the advertisement specifies the primary object with which the company was formed; and

(ii) in paragraph (3) of Part I. of the said First Schedule a reference to the constitution of the company shall be substituted for the reference to the articles, and

(iii) paragraph (1) of Part III. of that Schedule shall have effect as if the reference to the memorandum were omitted therefrom.

(2) Any condition requiring or binding any applicant for shares or debentures to waive compliance with any requirement of this section, or purporting to affect him with notice of any contract, document, or matter not specifically referred to in the prospectus, shall be void.

(3) In the event of non-compliance with or contravention of any of the requirements of this section, a director or other person responsible for the prospectus shall not incur any liability by reason of the non-compliance or contravention, if—

(*a*) as regards any matter not disclosed, he proves that he was not cognisant thereof; or

(*b*) he proves that the non-compliance or contravention arose from an honest mistake of fact on his part; or

(*c*) the non-compliance or contravention was in respect of matters which, in the opinion of the court dealing with the case, were immaterial or were otherwise such as ought, in the opinion of that court, having regard to all the circumstances of the case, reasonably to be excused:

Provided that, in the event of failure to include in a prospectus a statement with respect to the matters contained in paragraph 15 of Part I. of the First Schedule to this Act, no director or other person shall incur any liability in respect of the failure unless it be proved that he had knowledge of the matters not disclosed.

(4) Nothing in this section shall limit or diminish any liability which any person may incur under the general law or this Act, apart from this section.

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Giving of professional advice not to constitute a person a director of a company.

99. It is hereby declared that a person shall not be deemed to be within the meaning of any provision in this Act or in any other enactment amending the principal Act a person in accordance with whose directions or instructions the directors of a company are accustomed to act, by reason only that the directors of the company act on advice given by him in a professional capacity.

Constitution of court in summary proceedings and appeals.

100.—(1) A court of summary jurisdiction, when trying any offence under the principal Act or under this Act which such court is competent to try, shall be constituted of a resident magistrate, sitting alone or with other resident magistrates, and a court of quarter sessions, when hearing and determining an appeal from such court of summary jurisdiction shall be constituted of the county court judge or recorder sitting alone.

(2) In this section the expression "Resident Magistrate" means a magistrate appointed under the Constabulary (Ireland) Act, 1836, as amended by section six of the Constabulary Act (Northern Ireland), 1922.

12&13 Geo. 5, c. 8.

Saving as to private prosecutors.

101. Nothing in this Act relating to the institution of criminal proceedings by the Attorney General for Northern Ireland shall be taken to preclude any person from instituting or carrying on any such proceedings.

Saving for privileged communications.

102. Where proceedings are instituted under this Act against any person by the Attorney General for Northern Ireland nothing in this Act shall be taken to require any person who has acted as solicitor for the defendant to disclose any privileged communication made to him in that capacity.

Process to compel production of documents kept by registrar not to issue without leave.

103. No process for compelling the production of any document kept by the registrar of companies shall issue from any court except with the leave of that court, and any such process if issued shall bear thereon a statement that it is issued with the leave of the court.

Minor amendments.

104. The amendments specified in the second column of the Third Schedule to this Act, being minor amendments of the principal Act and of enactments amending that Act, shall be made in the provisions of that

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Act and of those enactments specified in the first column of that Schedule. A.D. 1930.

Provision with respect to default fines and meaning of "officer in default."

105.—(1) Where by any enactment in this Act it is provided that a company and every officer of the company who is in default shall be liable to a default fine, the company and every such officer shall, for every day during which the default, refusal or contravention continues, be liable to a fine not exceeding such amount as is specified in the said enactment, or, if the amount of the fine is not so specified, to a fine not exceeding five pounds.

(2) For the purpose of any enactment in this Act which provides that an officer of a company who is in default shall be liable to a fine or penalty, the expression "officer who is in default" means any director, manager, secretary or other officer of the company, who knowingly and wilfully authorises or permits the default, refusal or contravention mentioned in the enactment.

Saving of pending proceedings for winding up.

106. The provisions of this Act with respect to winding up shall not apply to any company of which the winding up has commenced before the commencement of this Act, but every such company shall be wound up in the same manner and with the same incidents as if this Act had not passed, and, for the purposes of the winding up, the Act or Acts under which the winding up commenced shall be deemed to remain in full force.

General Interpretation.

107.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"The principal Act" means the Companies (Consolidation) Act, 1908, and references in this Act to the principal Act or to any provision of that Act shall be construed as references to that Act or that provision as amended by any subsequent enactment, including this Act:

"Annual Return" means the return required to be made in the case of a company having a share capital under section twenty-six of the principal Act as amended by section six of this Act, and, in the case of a company not having a share capital under section seven of this Act:

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"The registrar of companies" or, when used in relation to registration of companies "the registrar" means the officer appointed by the Government of Northern Ireland to perform in Northern Ireland the functions of the registrar of companies:

"Company" means a company formed under the principal Act and registered or deemed to have been registered in Northern Ireland thereunder, and includes an existing company within the meaning of the principal Act:

"United Kingdom" means the United Kingdom of Great Britain and Northern Ireland.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

Short title, repeal and commencement

108.—(1) This Act may be cited as the Companies Act (Northern Ireland), 1930, and shall be construed as one with the Companies Acts, 1908 to 1917, and those Acts and this Act may be cited together as the Companies Acts (Northern Ireland), 1908 to 1930.

(2) The enactments set out in the Fourth Schedule to this Act are repealed to the extent specified in the third column of that Schedule.

(3) Sections fifty-four and ninety-six of this Act shall come into operation on the passing of this Act and the other provisions of this Act shall come into operation on the appointed day, and the appointed day shall be such day as the Governor of Northern Ireland may by Order in Council appoint, and different days may be appointed for different purposes and for different provisions of this Act:

Provided that the appointed day for the purposes of the repeal of any particular enactment shall not be earlier than the day fixed as the appointed day for the coming into operation of the corresponding provisions of this Act.

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SCHEDULES.

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FIRST SCHEDULE.

Section 31.

PART I.

Matters required to be stated in Prospectus.

1. Except where the prospectus is published as a newspaper advertisement, the contents of the memorandum, with the names, descriptions, and addresses of the signatories, and the number of shares subscribed for by them respectively.

2. The number of founders or management or deferred shares, if any, and the nature and extent of the interest of the holders in the property and profits of the company.

3. The number of shares, if any, fixed by the articles as the qualification of a director, and any provision in the articles as to the remuneration of the directors.

4. The names, descriptions, and addresses of the directors or proposed directors.

5. Where shares are offered to the public for subscription particulars as to—

(i) the minimum amount which, in the opinion of the directors, must be raised by the issue of those shares in order to provide the sums, or, if any part thereof is to be defrayed in any other manner, the balance of the sums, required to be provided in respect of each of the following matters :—

(*a*) the purchase price of any property purchased or to be purchased which is to be defrayed in whole or in part out of the proceeds of the issue ;

(*b*) any preliminary expenses payable by the company, and any commission so payable to any person in consideration of his agreeing to subscribe for, or of his procuring or agreeing to procure subscriptions for, any shares in the company ;

(*c*) the repayment of any moneys borrowed by the company in respect of any of the foregoing matters ;

(*d*) working capital ; and

(ii) the amounts to be provided in respect of the matters aforesaid otherwise than out of the proceeds of the issue and the sources out of which those amounts are to be provided.

6. The amount payable on application and allotment on each share, and in the case of a second or subsequent offer of shares, the amount offered for subscription on each previous allotment made within the two preceding years, the amount actually allotted, and the amount, if any, paid on the shares so allotted.

7. The number and amount of shares and debentures which within the two preceding years have been issued, or agreed to be issued,

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as fully or partly paid up otherwise than in cash, and in the latter case the extent to which they are so paid up, and in either case the consideration for which those shares or debentures have been issued or are proposed or intended to be issued.

8. The names and addresses of the vendors of any property purchased or acquired by the Company, or proposed so to be purchased or acquired, which is to be paid for wholly or partly out of the proceeds of the issue offered for subscription by the prospectus, or the purchase or acquisition of which has not been completed at the date of issue of the prospectus, and the amount payable in cash, shares, or debentures, to the vendor, and where there is more than one separate vendor, or the company is a sub-purchaser, the amount so payable to each vendor.

9. The amount, if any, paid or payable as purchase money in cash, shares, or debentures, for any such property as aforesaid, specifying the amount, if any, payable for goodwill.

10. The amount, if any, paid within the two preceding years, or payable, as commission (but not including commission to sub-underwriters) for subscribing or agreeing to subscribe, or procuring or agreeing to procure subscriptions, for any shares in, or debentures of, the company, or the rate of any such commission.

11. The amount or estimated amount of preliminary expenses.

12. The amount paid within the two preceding years or intended to be paid to any promoter, and the consideration for any such payment.

13. The dates of and parties to every material contract, not being a contract entered into in the ordinary course of the business carried on or intended to be carried on by the company or a contract entered into more than two years before the date of issue of the prospectus, and a reasonable time and place at which any such material contract or a copy thereof may be inspected.

14. The names and addresses of the auditors, if any, of the company.

15. Full particulars of the nature and extent of the interest, if any, of every director, in the promotion of or in the property proposed to be acquired by, the company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares or otherwise by any person either to induce him to become, or to qualify him as a director, or, otherwise for services rendered by him or by the firm in connection with the promotion or formation of the company.

16. If the prospectus invites the public to subscribe for shares in the company and the share capital of the company is divided into different classes of shares, the right of voting at meetings of the company conferred by, and the rights in respect of capital and dividends attached to, the several classes of shares respectively.

17. In the case of a company which has been carrying on business, or of a business which has been carried on for less than three years, the length of time during which the business of the company or the business to be acquired, as the case may be, has been carried on.

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PART II.

Reports to be set out in Prospectus.

1. A report by the auditors of the company with respect to the profits of the company for each of the three financial years immediately preceding the issue of the prospectus, and stating the rates of the dividends, if any, paid by the company in respect of each class of shares in the company for each of the said three years, giving particulars of each such class of shares on which such dividends have been paid and particulars of the cases in which no dividends have been paid in respect of any class of shares for any of those years, and, if no accounts have been made up in respect of any part of the period of three years ending on a date three months before the issue of the prospectus, containing a statement of that fact.

2. If the proceeds, or any part of the proceeds, of the issue of the shares or debentures are or is to be applied directly or indirectly in the purchase of any business, a report made by accountants who shall be named in the prospectus upon the profits of the business in respect of each of the three financial years immediately preceding the issue of the prospectus.

PART III.

Provisions applying to Parts I and II of Schedule.

1. The provisions of this Schedule with respect to the memorandum and the qualification, remuneration and interest of directors, the names, descriptions and addresses of directors or proposed directors, and the amount or estimated amount of the preliminary expenses, shall not apply in the case of a prospectus issued more than two years after the date at which the company is entitled to commence business.

2. Every person shall for the purposes of this Schedule be deemed to be a vendor who has entered into any contract, absolute or conditional, for the sale or purchase, or for any option of purchase, of any property to be acquired by the company, in any case where—

(*a*) the purchase money is not fully paid at the date of the issue of the prospectus;

(*b*) the purchase money is to be paid or satisfied wholly or in part out of the proceeds of the issue offered for subscription by the prospectus;

(*c*) the contract depends for its validity or fulfilment on the result of that issue.

3. Where any property to be acquired by the company is to be taken on lease, this Schedule shall have effect as if the expression "vendor" included the lessor, and the expression "purchase money" included the consideration for the lease, and the expression "sub-purchaser" included a sub-lessee.

4. For the purposes of paragraph 8 of Part I of this Schedule where the vendors or any of them are a firm, the members of the firm shall not be treated as separate vendors.

5. If in the case of a company which has been carrying on business, or of a business which has been carried on for less than three years, the accounts of the company or business have only been made

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up in respect of two years or one year, Part II of this Schedule shall have effect as if references to two years or one year, as the case may be, were substituted for references to three years.

6. The expression "financial year" in Part II of this Schedule means the year in respect of which the accounts of the company or of the business, as the case may be, are made up, and where by reason of any alteration of the date on which the financial year of the company or business terminates the accounts of the company or business have been made up for a period greater or less than a year, that greater or less period shall for the purpose of the said Part of this Schedule be deemed to be a financial year.

Section 34.

SECOND SCHEDULE.

PART I.

Form of Statement in lieu of Prospectus to be delivered to Registrar by a Company which does not issue a Prospectus or which does not go to Allotment on a Prospectus issued.

THE COMPANIES ACTS (NORTHERN IRELAND), 1908 TO 1930.

Statement in lieu of Prospectus delivered for registration by

[*Insert the name of the company.*]

Pursuant to section 34 of the Companies Act (Northern Ireland), 1930.

Delivered for registration by

The nominal share capital of the Company.	£
Divided into - - - - - -	Shares of £ each. " " " " " "
Amount (if any) of above capital which consists of redeemable preference shares.	Shares of £ each.
The date on or before which these shares are, or are liable, to be redeemed.	
Names, descriptions and addresses of directors or proposed directors.	
If the share capital of the Company is divided into different classes of shares, the right of voting at meetings of the Company conferred by, and the rights in respect of capital and dividends attached to, the several classes of shares respectively.	

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Number and amount of shares and debentures agreed to be issued as fully or partly paid up otherwise than in cash. The consideration for the intended issue of those shares and debentures.	1. shares of £ fully paid. 2. shares upon which £ per share credited as paid. 3. debenture £ 4. Consideration.
Names and addresses of vendors of property purchased or acquired, or proposed to be purchased or acquired by the Company. Amount (in cash, shares, or debentures) payable to each separate vendor.	
Amount (if any) paid or payable (in cash or shares or debentures) for any such property, specifying amount (if any) paid or payable for goodwill.	Total purchase price £ Cash - - £ — Shares - £ Debentures £ Goodwill - £
Amount (if any) paid or payable as commission for subscribing or agreeing to subscribe or procuring or agreeing to procure subscriptions for any shares or debentures in the Company; or Rate of the commission - - -	Amount paid. ,, payable. Rate per cent.
The number of shares, if any, which persons have agreed for a commission to subscribe absolutely.	
Estimated amount of preliminary expenses.	£ .
Amount paid or intended to be paid to any promoter. Consideration for the payment - -	Name of promoter. Amount £ . Consideration :—
Dates of, and parties to, every material contract (other than contracts entered into in the ordinary course of the business intended to be carried on by the Company or entered into more than two years before the delivery of this statement).	
Time and place at which the contracts or copies thereof may be inspected.	
Names and addresses of the auditors of the Company (if any).	

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2ND SCH. —*cont.*

Full particulars of the nature and extent of the interest of every director in the promotion of or in the property proposed to be acquired by the Company, or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares, or otherwise, by any person either to induce him to become, or to qualify him as, a director, or otherwise for services rendered by him or by the firm in connection with the promotion or formation of the Company.

If it is proposed to acquire any business, the amount, as certified by the persons by whom the accounts of the business have been audited, of the net profits of the business in respect of each of the three financial years immediately preceding the date of this statement provided that in the case of a business which has been carried on for less than three years and the accounts of which have only been made up in respect of two years or one year the above requirement shall have effect as if references to two years or one year, as the case may be, were substituted for references to three years, and in any such case the statement shall say how long the business to be acquired has been carried on.

(Signatures of the persons above-named as directors or proposed directors, or of their agents authorised in writing.)

Date

NOTE.—In this Schedule the expression "vendor" includes a vendor as defined in Part III of the First Schedule to this Act, and the expression "financial year" has the meaning assigned to it in that Part of the said Schedule.

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PART II.

Form of Statement in lieu of Prospectus to be delivered to Registrar by a Private Company on becoming a Public Company.

THE COMPANIES ACTS (NORTHERN IRELAND), 1908 TO 1930.

Statement in lieu of Prospectus delivered for registration by

[*Insert the name of the Company*].

Pursuant to section 56 of the Companies Act (Northern Ireland), 1930.
Delivered for registration by

The nominal share capital of the Company.	£
Divided into - - - - -	Shares of £ each. " " " " " "
Amount (if any) of above capital which consists of redeemable preference shares. The date on or before which these shares are, or are liable, to be redeemed.	Shares of £ each.
Names, descriptions and addresses of directors or proposed directors.	
Amount of shares issued - - -	Shares
Amount of commissions paid in connection therewith.	
Amount of discount, if any, allowed on the issue of any shares, or so much thereof as has not been written off at the date of the statement.	
Unless more than one year has elapsed since the date on which the Company was entitled to commence business :— Amount of preliminary expenses. Amount paid to any promoter - Consideration for the payment -	£ Name of promoter. Amount £ Consideration.
If the share capital of the Company is divided into different classes of shares, the right of voting at meetings of the Company conferred by, and the rights in respect of capital and dividends attached to, the several classes of shares respectively	

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2ND SCH. —*cont.*

Number and amount of shares and debentures issued within the two years preceding the date of this statement as fully or partly paid up otherwise than for cash or agreed to be so issued at the date of this statement.	1. Shares of £ fully paid. 2. Shares upon which £ per share credited as paid.
Consideration for the issue of those shares or debentures.	3. Debenture £ . 4. Consideration.
Names and addresses of Vendors of Property (1) purchased or acquired by the Company within the two years preceding the date of this statement or (2) agreed or proposed to be purchased or acquired by the Company.	
Amount (in cash, shares or debentures) paid or payable to each separate vendor.	
Amount paid or payable in cash, shares or debentures for any such property, specifying the amount paid or payable for goodwill.	Total purchase price £ Cash - - £ —— Shares - £ Debentures £ Goodwill - £
Dates of, and parties to, every material contract (other than contracts entered into in the ordinary course of business or entered into more than two years before the delivery of this statement).	
Time and place at which the contracts or copies thereof may be inspected.	
Names and addresses of the auditors of the Company.	
Full particulars of the nature and extent of the interest of every director in any property purchased or acquired by the Company within the two years preceding the date of this statement or proposed to be purchased or acquired by the Company or, where the interest of such a director consists in being a partner in a firm, the nature and extent of the interest of the firm, with a statement of all sums paid or agreed to be paid to him or to the firm in cash or shares, or otherwise, by any person either to induce him to	

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become or to qualify him as, a director, or otherwise for services rendered or to be rendered to the Company by him or by the firm.

Rates of the dividends (if any) paid by the Company in respect of each class of shares in the Company in each of the three financial years immediately preceding the date of this statement or since the incorporation of the Company whichever period is the shorter.

Particulars of the cases in which no dividends have been paid in respect of any class of shares in any of those years.

If any of the unissued shares or debentures are to be applied in the purchase of any business the amount, as certified by the persons by whom the accounts of the business have been audited, of the net profits of the business in respect of each of the three financial years immediately preceding the date of this statement, provided that in the case of a business which has been carried on for less than three years and the accounts of which have only been made up in respect of two years or one year the above requirement shall have effect as if references to two years or one year, as the case may be, were substituted for references to three years, and in any such case the statement shall say how long the business to be acquired has been carried on.

(Signatures of the persons above-named as directors or proposed directors, or of their agents authorised in writing.)

Date

NOTE.—In this Form the expression "vendor" includes a vendor as defined in Part III of the First Schedule to this Act, and the expression "financial year" has the meaning assigned to it in that Part of the said Schedule.

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THIRD SCHEDULE.

Section 104.

MINOR AMENDMENTS.

Section of Act.	Amendment.
Section 10 –	In sub-section (3) the words "or a company "limited by guarantee" shall be omitted.
Section 20 –	In sub-section (3) the words "and directors "and managers" shall be omitted.
Section 25 –	In sub-section (2) for the words "and manager" there shall be substituted the words "manager, secretary or other officer."
Section 30 –	In sub-section (1) after the words "registration of the Company" there shall be inserted the words "and the annual return required by this Act."
	In sub-section (2) for the words "list and summary" there shall be substituted the words "annual return."
Section 32 –	The following shall be substituted for sub-section (2):— "(2) Where an application is made under this section, the court may either refuse the application or may order rectification of the register, and payment by the company of any damages sustained by any party aggrieved."
Section 46 –	In sub-section (1) after the words "by shares" there shall be inserted the words "or a "company limited by guarantee and "having a share capital."
Section 47 –	The words "and confirmed" shall be omitted.
Section 52 –	In sub-section (2) for the words "and manager" there shall be substituted the words "man- "ager, secretary or other officer."
Section 54 –	The following section shall be substituted:— "If any director, manager, secretary or other officer of the company— (*a*) wilfully conceals the name of any creditor entitled to object to the reduction; or (*b*) wilfully misrepresents the nature or amount of the debt or claim of any creditor: or (*c*) aids, abets or is privy to any such concealment or misrepresentation as aforesaid. he shall be guilty of a misdemeanour.'

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Section of Act.	Amendment.
Section 61	In sub-section (2) the word "passing" shall be substituted for the word "confirmation" in both places where that word occurs. In sub-section (3) for the words "or manager" there shall be substituted the words "manager, secretary or other officer."
Section 63	The word "limited" shall be omitted wherever that word occurs in the section; in sub-section (2) for the words "and manager" there shall be substituted the words "manager, secretary or other officer," and at the end of sub-section (3) there shall be inserted the following new paragraph:— "If any company makes default in complying with the requirements of paragraph (*b*) or paragraph (*c*) of sub-section (1) of this section, the company shall be liable to a fine not exceeding fifty pounds."
Section 64	In sub-section (1) for the words "manager, secretary and other officer" there shall be substituted the words "or manager."
Section 65	In sub-section (3) (*c*) the words "on account of its capital whether from shares or debentures," shall be omitted.
Section 71	In sub-section (3) the words "and all appointments of directors, managers or liquidators shall be deemed to be valid" shall be omitted.
Section 73	In sub-section (3) the words "between the expiration of the said period or shorter term and the last day on which it is proved that he acted as a director" shall be omitted and the following words shall be inserted instead "during which it is proved that he acted as a director without having the share qualification."
Section 83	At the end there shall be added the following words:— "In this section the expression 'company' means a company limited by shares or a company limited by guarantee and having a share capital, but does not include a private company."
Section 84	Sub-section (2) shall cease to have effect.

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3RD SCH. —*cont.*

Section of Act.	Amendment.
Section 86	In sub-section (1) after the words "not later" there shall be inserted the words "or, in any case where the company is not required to hold a statutory meeting, or where the allotment is made after the holding of the statutory meeting, within one month after the date of the allotment, and not later."
Section 88	In sub-section (1) after the words "limited by shares" there shall be inserted the words "or a company limited by guarantee and having a share capital."
Section 90	At the end of the section there shall be inserted the following new sub-section:— "(2) If a company makes default in complying with the requirements of this section, the company and every officer of the company who is in default shall be liable to a default fine."
Section 91	In proviso (5) the word "other" shall be substituted for the word "lower," and at the end of the section there shall be inserted the following sub-section:— "(2) If default is made in complying with the requirements of proviso (7) to sub-section (1) of this section the company and every officer of the company who is in default shall be liable to a fine not exceeding fifty pounds."
Section 96	After the words "such mortgage or charge" there shall be inserted the words "or in a memorandum of satisfaction,"
Section 100	In sub-section (1) after the word "keep" there shall be inserted the words "at the registered office of the company," and after the words "the company" there shall be inserted the words "and all floating charges on the undertaking or any property of the company."
Section 101	In sub-section (1), for the words "at all reasonable times," there shall be substituted the words "during business hours (subject to such reasonable restrictions as the company in general meeting may impose, so that not less than two hours in each day be allowed for inspection)."
Section 107	In sub-section (1) the word "forthwith" shall be omitted.

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Section of Act.	Amendment.
Section 121	In sub-section (1) after the words "a company" there shall be inserted the words "with a "share capital."
Section 142	After the words "When a winding-up order "has been made" there shall be inserted the words "or a provisional liquidator has "been appointed."
Section 150	In sub-section (1) for the words "in a winding-"up by the court the liquidator" there shall be substituted the words "where a winding-"up order has been made or where a pro-"visional liquidator has been appointed, the "liquidator or the provisional liquidator, as "the case may be."
Section 163	At the end of sub-section (1) there shall be added the following proviso:— "Provided that, where it appears to the court that it will not be necessary to make calls on or adjust the rights of contributories, the court may dispense with the settlement of a list of contributories."
Section 172	The following shall be substituted for sub-section (2):— "(2) An office copy of the order shall, "within fourteen days from the date thereof, "be delivered by the liquidator to the "registrar of companies for registration."
Section 174	In sub-section (1) for the words "after it has "made a winding-up order" there shall be substituted the words "at any time after the "appointment of a provisional liquidator or "the making of a winding-up order."
Section 186	In paragraph (viii) the words "on the applica-"tion of a contributory" shall be omitted.
Section 194	After sub-section (2) the following paragraph shall be inserted:— "If any provision of this sub-section is not complied with, the liquidator shall be liable to a fine not exceeding ten pounds."
Section 197	For the words from "if" to "a contributory" (both inclusive), there shall be substituted the words "but in the case of an application "by a contributory, the court shall be "satisfied."
Section 199	The words "by special or extraordinary "resolution" shall be omitted.

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A.D. 1930.

3RD SCH. —*cont*

Section of Act.	Amendment.
Section 202 – –	In sub-section (2) for the words "appointed by "the company" there shall be substituted the words "duly appointed in accordance "with the enactments with respect to the "appointment of liquidators in a voluntary winding-up."
Section 209 – –	The following paragraph shall be substituted for paragraph (*b*) of sub-section (1) :— "(*b*) All wages or salary (whether or not earned wholly or in part by way of commission) of any clerk or servant in respect of services rendered to the company during four months next before the said date, not exceeding fifty pounds."
	The following paragraph shall be substituted for paragraph (*d*) of sub-section (1) :— "(*d*) unless the company is being wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company, or, unless the company has at the commencement of the winding-up under such a contract with insurers as is mentioned in section seven of the Workmen's Compensation Act (Northern Ireland), 1927, rights capable of being transferred to and vested in the workman, all amounts due in respect of any compensation or liability for compensation under the said Act accrued before the said date. Where any such compensation is a weekly payment, the amount due in respect thereof shall, for the purposes of this paragraph, be taken to be the amount of the lump sum for which the weekly payment could, if redeemable, be redeemed if the employer made an application for that purpose under the said Act."
	After sub-section (1), the following new sub-section shall be inserted :— "(1A) Where any payment on account of wages or salary has been made to any clerk, servant, workman or labourer in the employment of a company out of money advanced by some person for that purpose, that person shall in a winding up have a right of priority in respect of the money so advanced and paid up to the amount by which the sum in respect of which that clerk, servant, workman or labourer would

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Section of Act.	Amendment.
Section 209—*cont.*	– have been entitled to priority in the winding-up has been diminished by reason of the payment having been made."
Section 210 –	– In sub-section (2) for the words from "presentation" to "voluntary" (both inclusive) there shall be substituted the words "commencement of the"; and for the words "the "act of bankruptcy" there shall be substituted the words "the presentation of the "bankruptcy petition."
Section 223 –	– In sub-section (2) after the words "making "of the order" there shall be inserted the words "or such further time as the court may "allow."
Section 242 –	– In sub-section (1) for the word "shall" there shall be substituted the word "may." In sub-section (3) for the words "from the "company to the effect that it" there shall be substituted the words "to the effect that "the company." In sub-section (4) for all the words after "six consecutive months" there shall be substituted the words "the registrar shall publish "in the Belfast Gazette and send to the "company or the liquidator, if any, a like "notice as is provided in last preceding "sub-section." At the end of sub-section (5) there shall be inserted the words "and that nothing in "this sub-section shall affect the power of "the court to wind up a company the "name of which has been struck off the "register." In sub-section (6) for the words "on the appli-"cation of the company or member or "creditor" there shall be substituted the words "on an application made by "the company or member or creditor before "the expiration of twenty years from the "publication in the Belfast Gazette of the "notice aforesaid," and for the word "there-"upon" there shall be substituted the words "upon an office copy of the order being "delivered to the registrar for registration." In sub-section (7) for the words "letter or "notice under this section" there shall be substituted the words "notice to be "sent under this section to a liquidator "may be addressed to the liquidator at "his last known place of business, and "a letter or notice to be sent under this "section to a company."

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A.D. 1930. 3RD SCH. —*cont.*

Section of Act.	Amendment.
Section 267	After the word "members" there shall be inserted the words "and any foreign partnership, association or company irrespective of the number of its members."
Section 282	After the word "Limited" there shall be inserted the words "or any contraction or imitation of that word."
Section 285	At the end of the definition of debenture there shall be added the words "bonds and any other securities of a company whether constituting a charge on the assets of the company or not."
First Schedule	In Parts I and II of Table B, for the words from "other than" to "in England" (both inclusive) there shall be substituted the words "or required to be sent or forwarded to the registrar, other than the memorandum or the abstract required to be delivered to the registrar by a receiver or manager or the statement required to be sent to the registrar by the liquidator in a winding up." In Part II of Table B, for the first three paragraphs there shall be substituted the following paragraphs :— £ s. d. "For registration of a company whose number of members as stated in the articles does not exceed 25 — — — — 2 0 0 "For registration of a company whose number of members as stated in the articles exceeds 25, but does not exceed 100, the above fee of 2*l.* with an additional 1*l.* for every additional 25 members or less after the first 25. "For registration of a company whose number of members as stated in the articles exceeds 100 but is not stated to be unlimited, a fee of 5*l.* with an additional 5*s.* for every additional 50 members or less after the first 100."
Fifth Schedule	After the word "auditors" there shall be inserted the following words :— "Specific requirements as to particulars of prospectus s. 81."

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FOURTH SCHEDULE.

A.D. 1930.

Section 108.

Session and Chapter.	Short Title of Act.	Extent of Repeal.
58 & 59 Vict. c. 16.	The Finance Act, 1895.	Section sixteen.
8 Edw. 7. c. 69.	The Companies (Consolidation) Act, 1908.	In sub-section (3) of section ten, the words "or a company limited by "guarantee." In sub-section (3) of section twenty, the words "and directors and "managers." In sub-section (6) of section thirty-seven the words "as if it were the date at which a person ceased to be a member." Section forty. Sub-section (3) of section forty-one. In sub-section (1) of section forty-four the words "or in the case of "a special resolution the con-"firmation." Section forty-five. Section fifty-six. In section sixty-three, the word "limited" wherever it occurs. In sub-section (3) of section sixty-nine the words "or confirmed." In sub-section (4) of section seventy, the words "printing or" and the words "or extraordinary." Section eighty-one. Section eighty-two. Sub-section (2) of section eighty-four. Sub-section (2) of section ninety-nine. Section one hundred and four. In sub-section (1) of section one hundred and seven, the word "forthwith." Sub-section (7) of section one hundred and nine. Section one hundred and fourteen. Sub-section (2) of section one hundred and twenty-one. Paragraph (iv) of section one hundred and eighty-six.

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A.D. 1930.

4TH SCH. —*cont.*

Session and Chapter.	Short Title of Act.	Extent of Repeal.
8 Edw. 7. c. 69—*cont.*	The Companies (Consolidation) Act, 1908—*cont.*	In paragraph (viii) of section one hundred and eighty-six, the words "on the application of a contributory." Section one hundred and eighty-eight. Section one hundred and ninety. In sub-section (3) of section one hundred and ninety-two the words "at either of the meetings held for passing and confirming the same." Section one hundred and ninety-eight. In section one hundred and ninety-nine, the words "by special or extraordinary resolution." Sub-section (1) of section two hundred and three. Sub-section (4) of section two hundred and fifteen. Section two hundred and seventeen. Section two hundred and seventy-four. Schedule two. In schedule five the words "appointment and remuneration and" and "s. 112."
7 & 8 Geo. 5. c. 18.	The Companies (Foreign Interests) Act, 1917.	The Whole Act.
7 & 8 Geo. 5. c. 28.	The Companies (Particulars as to Directors) Act, 1917.	Section one, sub-section (1) of section two, and in section three the words "seventy-five."

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CHAPTER 13.

A D. 1930.

An Act to provide for the inclusion of medical benefit amongst the benefits conferred upon insured persons in Northern Ireland by the enactments relating to health insurance and for the establishment of a sick visiting scheme under the said enactments; and for purposes related or incidental to the matters aforesaid.

[17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Medical Benefit.

Extension of medical benefit to Northern Ireland.

1.—(1) Medical benefit shall be included amongst the benefits conferred upon insured persons in Northern Ireland by, and subject to the provisions of, the National Health Insurance Act, 1924, as amended by subsequent enactments (which Act, as so amended, is in this Act referred to as "the principal Act"); and the principal Act shall have effect accordingly, subject to the modifications made therein by the provisions hereinafter contained in this Act.

(2) Any enactments of the principal Act which provide that insured persons in Northern Ireland shall not be entitled to medical benefit shall cease to have effect as from the appointed day.

(3) In this Act the expression "medical benefit" has the same meaning as it has in the enactments relating to health insurance in Great Britain, that is to say, it means medical treatment and attendance, and the expression "medical treatment and attendance" includes the provision of proper and sufficient medicines (including such chemical reagents as may be prescribed) and of the prescribed medical and surgical appliances, but does not include treatment or attendance in respect of a confinement.

(4) The funds required for defraying the cost of medical benefit, and the expenses incurred by the Ministry in the administration of benefits under the principal Act

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as amended by this Act, shall be derived from contributions made by or in respect of the contributors by themselves or their employers in the same proportions and to the same extent as in the case of the funds required for the purposes specified in section four of the principal Act, and the balance of the funds required for defraying the cost of medical benefit and the expenses aforesaid shall be derived from moneys provided by Parliament.

Rates of contribution

2.—(1) The contributions payable under sub-section (1) of section five of the principal Act in respect of employed contributors shall be at the rate set out in Part I. of the First Schedule to this Act, and that rate shall, as respects Northern Ireland, be the employed rate for the purposes of the principal Act, and the said Part I. shall be substituted for Part II. of the Second Schedule to the principal Act.

(2) The contributions payable under sub-section (2) of section five of the principal Act by voluntary contributors shall be at the employed rate:

Provided that, in the case of a voluntary contributor resident in Northern Ireland who is not entitled to receive medical benefit, the weekly contribution which would otherwise have been payable shall be reduced by threepence, and there shall be credited to the society of which the contributor is a member, or, if he is a deposit contributor, to the Deposit Contributors Fund, the difference between the amount of the contributions actually paid by him at the reduced rate and the amount which would have been paid if those contributions had been fully paid at the full rate, and the amount of that difference shall be treated as having been expended on benefits, and the proper proportion thereof shall accordingly be paid out of moneys provided by Parliament.

(3) The amendments specified in the second column of Part II. of the First Schedule to this Act, which are consequential on the foregoing provisions of this section, shall be made in the provisions of the principal Act which are specified in the first column of the said Part II.

(4) Section one hundred and twenty-one of the principal Act shall cease to have effect as from the commencement of this section.

(5) This section shall come into operation on the seventh day of July, nineteen hundred and thirty.

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3. The following section shall be substituted for section twelve of the principal Act :—

Modification of s. 12 of the principal Act as to medical benefit.

"**12.**—(1) Medical benefit shall be administered by the Ministry.

(2) A voluntary contributor whose total income from all sources exceeds two hundred and fifty pounds a year shall not be entitled to medical benefit.

(3) A person shall not be disentitled to medical benefit by reason that he is, under the rules of an approved society or of the Ministry, suspended from sickness or disablement benefit on the ground that his disease or disablement was caused by his own misconduct.

(4) Subject to the consent of the Ministry of Finance, provision may be made by regulations for applying any moneys received from the Minister of Pensions so that any person to whom this sub-section applies shall, subject to the prescribed conditions, become or continue to be entitled to medical benefit as if he were an insured person and entitled to such benefit.

This sub-section applies to any person not being an insured person, and being a man of the forces (within the meaning of section fifty-seven of this Act) discharged from service as such during, or within the prescribed period after the termination of, the late war, and certified by the Minister of Pensions to be suffering from any disease or bodily or mental disablement attributable to or aggravated by service in the said war."

Modification of s. 24 of the principal Act as to administration of medical benefit.

4. The following section shall be substituted for section twenty-four of the principal Act :—

"**24.**—(1) The Ministry shall, for the purpose of administering medical benefit, make arrangements, in accordance with regulations, with duly qualified medical practitioners.

(2) Provision shall be made by regulations for the arrangements under this section being such as to secure that insured persons shall, subject to the provisions of this Act, receive adequate medical treatment and attendance from the medical

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"practitioners with whom arrangements are so made, and shall secure—

(*a*) the preparation and publication from time to time of a list of medical practitioners agreeing to attend and treat insured persons;

(*b*) a right on the part of any duly qualified medical practitioner resident in Northern Ireland who is desirous of being included in the said list of being so included;

(*c*) a right on the part of any insured person of selecting, at such periods as may be prescribed, from the said list the practitioner by whom he wishes to be attended and treated, and, subject to the consent of the practitioner so selected, of being attended and treated by him;

(*d*) the distribution among the several practitioners whose names are on the said list, so far as practicable under arrangements made by them, of the insured persons who after due notice have failed to make any selection, or who have been refused by the practitioner whom they have selected:

Provided that—

(i) if the Ministry, after such inquiry as may be prescribed, is satisfied that the continued inclusion in the list of any medical practitioner would be prejudicial to the efficiency of the medical service of the insured, the Ministry may remove his name from the list;

(ii) if the Ministry is satisfied after inquiry that the medical practitioners included in the list are not such as to secure an adequate medical service in any area, the Ministry, after consultation with the Ministry of Home Affairs, may make such arrangements as it thinks fit, or may suspend the right to medical benefit in respect of any insured persons in the area for such period as it thinks fit, and pay to each such person a sum bearing the same proportion to such sum as may be specified by the Ministry as repre-

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"senting the annual cost at the time of medical treatment and attendance (including drugs, medicines and appliances) as that period bears to a whole year;

(iii) if the Ministry is satisfied that the insured persons or any considerable proportion of the insured persons within any area are not receiving satisfactory medical treatment, the Ministry, after consultation with the Ministry of Home Affairs, may make such other arrangements as will secure to insured persons within that area such better medical service as is practicable having regard to the funds available for the purpose, or arrangements whereunder insured persons within that area may be required to make their own arrangements for receiving medical treatment and attendance (including drugs, medicines and appliances) and whereunder the Ministry undertakes to pay the cost of that medical treatment and attendance upon such scale as the Ministry may determine.

(3) The Ministry shall make arrangements for the supply of proper and sufficient drugs and medicines and prescribed appliances to insured persons in accordance with regulations, and the regulations made for the purposes of this subsection shall provide for the arrangements made being such as to enable insured persons to obtain such drugs, medicines and appliances, if ordered by the medical practitioner by whom the insured persons are attended, from any persons with whom arrangements have been made, and shall provide for the adoption of such a system as will secure—

(*a*) the preparation and publication from time to to time of a list of persons agreeing to supply drugs, medicines and appliances to insured persons according to such scale of prices as may be fixed by the Ministry;

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"(*b*) a right on the part of any person resident in Northern Ireland who is desirous of being included in the said list of being so included, for the purpose of supplying such drugs, medicines and appliances as that person is entitled by law and authorised by the Ministry to supply, except in cases where the Ministry, after inquiry, is satisfied that the inclusion or continuance of that person in the list would be prejudicial to the efficiency of the service:

Provided that—

(i) if the Ministry is satisfied as respects any area that the persons included in the list are not such as to secure an adequate and convenient supply of drugs, medicines and appliances in that area, the Ministry may dispense with the necessity for the adoption of such system as aforesaid as respects that area and may make such other arrangements as it thinks fit;

(ii) except as may be provided by regulations, no arrangement shall be made with a medical practitioner under which he is bound or agrees to supply drugs or medicine to any insured persons;

(iii) subject to the provisions of the last foregoing proviso, the regulations shall prohibit arrangements for the supply of drugs and medicines being made with persons other than persons who are entitled to carry on the business of a pharmaceutical chemist under the provisions of the Pharmacy and Poisons Act (Northern Ireland), 1925, and who undertake that all medicines supplied by them to insured persons shall be dispensed either by or under the direct supervision of a pharmaceutical chemist registered under the said Act.

15 & 16 Geo. 5, c. 8.

(4) Where the name of any medical practitioner or person undertaking the supply of drugs, medicines

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"or appliances has been removed, under the corresponding enactment of this Act as it applies in Great Britain, from any list prepared under that enactment, then, until such time as the Ministry directs to the contrary, that practitioner or person shall be disqualified for inclusion in the similar list prepared under this section of medical practitioners or of persons undertaking such supply as aforesaid.

(5) Provision for any of the following matters may be included in regulations made for the purposes of this section :—

(*a*) The issue of certificates for the purposes of this Act by medical practitioners under agreement with the Ministry ;

(*b*) The procedure and costs of inquiries held under this section, and the application thereto, subject to such modifications as may be prescribed, of the provisions of the Poor Relief Acts (Northern Ireland), 1838 to 1928, relating to the holding of inquiries, the attendance and examination of witnesses and the production and inspection of documents ;

(*c*) The procedure on any appeal to the Ministry against a decision given under the regulations, and the application to any such appeal, subject to such modifications as may be prescribed, of any of the provisions of the Common Law Procedure Amendment Act (Ireland), 1856, with respect to arbitration." 16 & 17 Vict. c. 113.

Medical benefit council and local committees.

5.—(1) There shall be established a medical benefit council for Northern Ireland (in this Act referred to as "the medical benefit council") consisting of such number of members as may be prescribed, but not less than twenty or more than forty, of whom—

(*a*) one-fourth shall be appointed in such manner as may be prescribed so as to secure representation of—

(i) the insured persons in Northern Ireland who are members of approved societies, and

(ii) the insured persons in Northern Ireland who are deposit contributors,

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in proportion, as nearly as may be, to their respective numbers;

(*b*) one-fourth shall be appointed in such manner as may be prescribed so as to secure representation of the employers of insured persons in Northern Ireland;

(*c*) one-fourth shall be appointed in such manner as may be prescribed so as to secure representation of the medical practitioners, and persons undertaking the supply of drugs, medicines and appliances, who are included in the respective lists prepared under section twenty-four of the principal Act;

(*d*) the remaining members shall be appointed by the Minister of Labour.

(2) The medical benefit council shall have the following powers and duties:—

(*a*) They shall give general advice to the Ministry with respect to the administration of medical benefit;

(*b*) They shall have such powers and duties in relation to complaints by insured persons, medical practitioners, and approved societies, in connection with medical benefit as may be prescribed;

(*c*) They shall have such other powers and duties in connection with the administration of medical benefit as may be prescribed.

(3) Provision may be made by regulations with respect to the appointment, quorum, term of office and rotation of members and the proceedings generally of the medical benefit council, including the appointment of sub-committees consisting wholly or partly of members of the council.

(4) The Minister of Labour shall appoint a person to act as secretary to the medical benefit council.

(5) Provision may be made by regulations for the establishment, in such areas as may be determined by the Minister of Labour, of local committees having such powers and duties in relation to complaints by insured persons, medical practitioners, and approved societies, in connection with medical benefit, and such other powers and duties, as may be prescribed.

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(6) Any expenses incurred, with the approval of the Ministry, by the medical benefit council, or a local committee established under this section, for the purpose of their powers and duties shall be treated as expenses incurred by the Ministry in the administration of benefits.

Modification of provisions of the principal Act as to medical and pharmaceutical committees.

6.—(1) Section fifty-one of the principal Act shall not apply in Northern Ireland.

(2) The following section shall be substituted for section fifty-two of the principal Act:—

"**52.**—(1) Where under this Act or for the purpose of any regulations the Ministry is required to ascertain, in respect of any matter affecting the administration of medical benefit, the opinions and wishes of the medical practitioners who have entered into agreements for attendance on and the treatment of insured persons, the Ministry shall do so through a committee appointed by those practitioners in accordance with regulations (in this Act referred to as 'the central insurance practitioners' committee').

(2) There shall, in accordance with regulations, be constituted for each prescribed area, from amongst the medical practitioners who have entered into agreements for attendance on and the treatment of insured persons in such area, a local committee (in this Act referred to as 'the local insurance practitioners' committee').

(3) The respective powers and duties of the central insurance practitioners' committee and local insurance practitioners' committee shall be such as may be determined by the Ministry."

(3) The following section shall be substituted for section fifty-three of the principal Act:—

"**53.** There shall, in accordance with regulations, be constituted for each prescribed area, from amongst the persons who have agreed to supply drugs, medicines and appliances to insured persons in such area, a local committee (in this Act referred to as 'the local pharmaceutical committee'), and the local pharmaceutical committee shall, subject to regulations, be consulted by the Ministry on all local questions affecting the supply of drugs,

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"medicines and appliances to insured persons, and shall perform such duties and exercise such powers as may be determined by the Ministry."

Remuneration of medical practitioners holding office as dispensary medical officers.

7. Where any medical practitioner who holds office as a dispensary medical officer under the Poor Relief Acts (Northern Ireland), 1838 to 1928, is included in the arrangements made with medical practitioners under this Act for attendance on and treatment of insured persons, there shall, subject to such conditions as may be prescribed, be deducted from the remuneration payable by the Ministry to such practitioner under the said arrangements amounts, calculated in such manner as the Ministry may determine, at the rate of one shilling and sixpence per year for each person in respect of whom remuneration is payable to such practitioner under the said arrangements, and the said amounts shall be applied for the benefit of the Exchequer of Northern Ireland in such manner as the Ministry of Finance may direct:

Provided that if the Ministry of Finance is satisfied, on representation made to it by the Ministry and the Ministry of Home Affairs, that the terms of the appointment of any such medical practitioner as dispensary medical officer have been altered to such extent that in his case the aforesaid deduction ought equitably to be at some reduced rate or to be discontinued, then, in the case of that practitioner, this section shall have effect so as to authorise a deduction at the said reduced rate, or shall cease to have effect, according as the Ministry of Finance may direct.

Amendment of s. 2 of 33 and 34 Vict., c. 26, with respect to sales of poisons on medical prescriptions.

8. Where any poison, to which section two of the Poisons (Ireland) Act, 1870 (as amended by subsequent enactments) applies, is supplied on and in accordance with a written prescription given by a registered medical practitioner under and in accordance with the provisions of the principal Act as amended by this Act, the seller of the poison shall not be required to make any entry in the book in accordance with the requirements of the said section.

Sick Visiting Scheme.

Sick visiting scheme.

9.—(1) A scheme for the visiting of sick or disabled insured persons, to be available for use by approved societies, may be put into operation under the principal

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Act as amended by this Act, and the Ministry may frame a scheme for that purpose:

Provided that a scheme framed by the Ministry shall not come into operation before the sixth day of July, nineteen hundred and thirty-one, and shall not come into operation at any time if a scheme framed by approved societies, and approved by the Ministry as being adequate and effective, is first put into operation and is maintained.

(2) The following paragraph shall be added to sub-section (3) of section seventy-three of the principal Act:—

"(*c*) providing for any expenses incurred in the maintenance of a scheme for the visiting of sick or disabled insured persons, framed or approved by the Ministry, in excess of the amount received by way of fees charged for specific visits made at the request of approved societies, to be treated as part of the administration expenses of approved societies, and for the application out of the administration accounts of such societies kept in accordance with sub-section (1) of this section of such sum as the regulations may prescribe to meet the expenses incurred as aforesaid, but not exceeding fourpence per year in respect of each of the total number (calculated as may be prescribed) of the members of approved societies resident in Northern Ireland."

(3) There shall be paid out of moneys provided by Parliament all such expenses as may be incurred by the Ministry in the administration of a scheme framed and put into operation by the Ministry under this section; and any fees charged for specific visits in pursuance of such scheme, and any sums to be applied in connection therewith out of the administration accounts of approved societies, shall be appropriated in aid of the moneys provided for the said expenses.

Financial provisions.

Provisions as to cost of medical benefit and administration expenses.

10.—(1) There shall, out of the funds out of which benefits are payable under the principal Act as amended by this Act, be credited to a separate account in the Northern Ireland National Health Insurance Fund (to be called "the Medical Benefit Account") for the

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purpose of meeting the cost of medical benefit, and to the Ministry for the purpose of meeting the expenses incurred by the Ministry in the administration of benefits, such sums as may be prescribed, but not exceeding in the aggregate the amount of thirteen shillings per year in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to medical benefit as being or having been members of an approved society:

Provided that where it is not practicable to ascertain the said total number before the expiration of any year, the Ministry may make a provisional calculation in respect of that year, and the difference between the sum so calculated and the sum as finally ascertained shall, as the case may require, be added to or deducted from the amount in respect of a subsequent year.

(2) Sums to be credited under this section shall be so credited in accordance with regulations to be made with the approval of the Ministry of Finance, and any such regulations so made may make special provision as to the sum to be credited on account of the cost of the medical benefit of, and otherwise with respect to, members of an approved society who are persons employed as masters or seamen serving on foreign-going ships.

(3) This section shall come into operation on the seventh day of July, nineteen hundred and thirty:

Provided that, during the period between the said seventh day of July and the appointed day for the inclusion of medical benefit amongst the benefits conferred upon insured persons in Northern Ireland, this section shall have effect as if for the words "thirteen shillings" there were substituted the words "eight shillings and nine pence."

(4) Section eighty-three of the principal Act shall not apply in Northern Ireland.

Expenses, etc., of members of medical benefit council and local committees.

11.—(1) The Ministry may pay to the members of the medical benefit council, and of any local committees established and having powers and duties in relation to complaints in connection with medical benefit, travelling expenses, subsistence allowance and compensation for loss of remunerative time in accordance with a scheme to be framed by the Ministry, with the consent of the Ministry of Finance, and any sums so paid shall be

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treated as expenses incurred by the Ministry in the administration of benefits.

(2) Sections eighty-five, eighty-six and eighty-seven of the principal Act shall not apply in Northern Ireland.

Amendments of the principal Act and miscellaneous provisions.

Discontinuance of sanatorium benefit.

12.—(1) Sanatorium benefit, as defined in sub-section (1) of section one hundred and twenty of the principal Act, shall cease to be included amongst the benefits conferred upon insured persons by the principal Act.

(2) The amendments specified in the second column of Part I. of the Second Schedule to this Act shall be made in the enactments specified in the first column of the said Part I.

Grants to county and county borough councils in lieu of moneys available for sanatorium benefit.

13.—(1) By way of compensation for the withdrawal after the appointed day of the sums theretofore available under section one hundred and twenty of the principal Act for defraying the expenses of sanatorium benefit, the Ministry of Home Affairs shall pay out of moneys provided by Parliament in each financial year to the council of each county and county borough such amount as the Ministry of Labour may certify to be the equivalent of a sum of ninepence per head of the average number of persons in the county or county borough entitled to sanatorium benefit in the three years nineteen hundred and twenty-six, nineteen hundred and twenty-seven, and nineteen hundred and twenty-eight:

Provided that the amount to be paid to a council under the provisions of this sub-section in the financial year ending on the thirty-first day of March, nineteen hundred and thirty-one, shall bear the same proportion to the amount certified as aforesaid as the number of days from the appointed day till the said thirty-first day of March bears to the number three hundred and sixty-five.

(2) Any sum paid to a council under this section shall be applied by them in relief of the expenses incurred by them in the execution of the Tuberculosis Prevention (Ireland) Acts, 1908 and 1913.

(3) If the Ministry of Home Affairs is not satisfied that the provision made by any council under the

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Tuberculosis Prevention (Ireland) Acts, 1908 and 1913, for the treatment of inhabitants of their county or county borough suffering from tuberculosis is reasonably adequate, the said Ministry may withhold from such council the payment of the whole or any part of the sums specified in sub-section (1) of this section.

Abolition of insurance committees.

14.—(1) On, from and after the appointed day, the insurance committees appointed under sections forty-eight and one hundred and twenty-three of the principal Act shall cease to exist, and references in the principal Act to insurance committees shall, subject to the provisions of this Act, be construed as references to the Ministry.

(2) Such property, records, and documents as may belong to, or be in the occupation or custody of, any insurance committee or officer of such committee for the purposes of the principal Act shall be transferred and given up to the Ministry for the purposes of this Act, or be disposed of in such manner as the Ministry may direct.

(3) The amendments specified in the second column of Part II. of the Second Schedule to this Act shall be made in the enactments specified in the first column of the said Part II.

Provisions as to officers of insurance committees.

15.—(1) Every officer of an insurance committee serving as such on the thirteenth day of May, nineteen hundred and thirty, and employed with the sanction of the Ministry, shall be entitled to receive as compensation for loss of office such sum as the Ministry, with the approval of the Ministry of Finance, may determine:

Provided that compensation shall not be payable to any such officer who has been offered alternative employment in a government department or under the council of the county or county borough forming the area of the insurance committee by which he was employed on terms not less favourable than those which applied to his service at the date aforesaid.

(2) Any compensation payable under this section shall be paid out of the surplus standing to the credit of insurance committees, and regulations may be made under this Act by the Ministry, with the consent of the Ministry of Finance, for giving effect to this section.

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Miscellaneous amendments of the principal Act, etc.

16.—(1) Sub-section (1) of section one hundred and eighteen of the principal Act (which relates to benefits of exempt persons) and section one hundred and twenty-six of the principal Act (which relates to inquiries into causes of excessive sickness, etc.), shall cease to have effect as from the appointed day.

(2) In the Fifth Schedule to the principal Act the references to sub-section (6) of section twelve and to sub-section (7) of section twenty-four of the said Act shall not apply in Northern Ireland.

3 & 4 Geo. 5, c. 37.

(3) Sub-section (2) of section one of the National Insurance Act, 1913, shall not apply in Northern Ireland.

15 & 16 Geo. 5, c. 23.

(4) In Part II. of the First Schedule to the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925 (which relates to rates of contributions payable in respect of persons employed within the meaning of the principal Act, who have attained the age of sixty-five), nine pence shall be substituted for eight pence and seven pence shall be substituted for six pence as from the seventh day of July, nineteen hundred and thirty.

(5) The obligation of the guardians of a poor law union or officer or other person with respect to the medical relief of the poor under the Poor Relief Acts (Northern Ireland), 1838 to 1928, shall not apply in the case of any insured person, to the extent to which that person is entitled to medical benefit.

Supplemental.

Regulations by Ministry.

17.—(1) The Ministry may make regulations generally for carrying this Act into effect, and in particular—

(*a*) for providing for the disposal of any surplus (including interest accrued thereon) standing to the credit of the sanatorium benefit fund or other fund or account of any insurance committee after its liabilities have been met, for the application of any part of such surplus towards defraying the expenses incurred by the Ministry in bringing this Act into operation, and for determining the manner in which any deficit in any such fund or account is to be dealt with;

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(*b*) for providing for such other financial adjustments and such audit of accounts as appear necessary in connection with the winding up of the business of insurance committees;

(*c*) for determining the operation of any agreements entered into by insurance committees under or for the purposes of the principal Act;

(*d*) for determining the manner in which any surplus or deficiency in any account to which moneys have been carried under section two of the National Health Insurance Act (Northern Ireland), 1926, for the purpose of meeting the cost of medical certification and any expenses incurred by the Ministry in connection with the administration of benefits, is to be dealt with;

16&17Geo.5, c. 11.

(*e*) for prescribing anything which under this Act is to be prescribed.

The making of regulations for any purpose specified in paragraph (*a*), (*b*), (*c*), or (*d*) of this sub-section shall be subject to the consent of the Ministry of Finance.

(2) Regulations made by the Ministry under this section shall be laid before both Houses of the Parliament of Northern Ireland and be subject to annulment by Order of the Governor of Northern Ireland in Council in like manner as regulations made under the principal Act.

Power to remove difficulties.

18. If in any respect any difficulty arises in bringing into operation this Act, the Ministry, with the consent of the Ministry of Finance, may by order do anything which appears to be necessary or expedient for bringing this Act into operation:

Provided that the powers conferred by this section shall not be exercised after the thirty-first day of December, nineteen hundred and thirty.

Repeal.

19. The enactments set out in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that where by virtue of this Act an enactment will cease to have effect as from the appointed day, that enactment shall be repealed as from the said day and not previously.

Short title, construction and commencement.

20.—(1) This Act may be cited as the National Health Insurance Act (Northern Ireland), 1930, and shall be construed as one with the National Health Insurance

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Acts (Northern Ireland), 1924 to 1928; and those Acts and this Act may be cited together as the National Health Insurance Acts (Northern Ireland), 1924 to 1930.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall, unless the context otherwise requires, be construed as references to those enactments as they apply in Northern Ireland.

(3) This Act shall, except as otherwise expressly provided, come into operation on the appointed day, and the appointed day for the purposes of this Act shall be such day, not being earlier than the seventh day of July, nineteen hundred and thirty, or later than the fifth day of January, nineteen hundred and thirty-one, as the Governor of Northern Ireland may by Order in Council appoint either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and for different provisions of this Act.

SCHEDULES.

FIRST SCHEDULE.

PART I.

Section 2.

RATES OF CONTRIBUTIONS IN RESPECT OF EMPLOYED CONTRIBUTORS.

In the case of men	9d. a week.
In the case of women	8½d. a week.

CONTRIBUTIONS OF EMPLOYERS AND EMPLOYED CONTRIBUTORS.

In Ordinary Cases.

To be paid by the employer	.. ..	4½d. a week.
To be paid by the contributor	men ..	4½d. a week.
	women ..	4d. a week.

In the case of Low-Wage Earners.

In the case of employed contributors of either sex, of the age of eighteen or upwards, whose remuneration does not include the provision of board and lodging by their employer, and the rate of whose remuneration does not exceed 4s. a working day, the following shall be the rates of contribution:—

(1) Where the rate of remuneration does not exceed 3s. a working day:—

To be paid by the employer	for men ..	9d. a week.
	for women	8½d. a week.

(2) Where the rate of remuneration exceeds 3s. but does not exceed 4s. a working day:—

To be paid by the employer	.. ..	5½d. a week.
To be paid by the contributor	men ..	3½d. a week.
	women ..	3d. a week.

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PART II.

AMENDMENTS OF THE PRINCIPAL ACT CONSEQUENTIAL ON PROVISIONS OF SECTION TWO OF THIS ACT.

Enactment to be amended.	Amendment.
Section 6 (1) ..	"Fourpence halfpenny" shall be substituted for "threepence halfpenny."
Section 62 (3) ..	"Twopence halfpenny" shall be substituted for "twopence."
Section 103 (2) ..	"Eightpence" shall be substituted for "sixpence," "fourpence halfpenny" for "threepence halfpenny," and "fourpence" for "threepence" in the proviso to this sub-section.

SECOND SCHEDULE.

Section 12.

PART I.

ENACTMENTS RELATING TO SANATORIUM BENEFIT.

The National Insurance Act, 1911.	
Section 64 ..	So much of sub-section (1) as requires the Ministry of Finance to consult with the Ministry of Labour shall cease to have effect as from the appointed day.
The National Health Insurance Act, 1924.	
Section 54	In paragraph (*d*) of sub-section (2), as modified by sub-section (2) of section twenty-four of the National Health Insurance Act, 1928, the words "and sanatorium benefit" shall cease to have effect as from the appointed day.
Section 120	The provisions of this section shall cease to have effect as from the appointed day.
The Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925.	
Section 14	In sub-section (2), for the words "any period during which he may by virtue of section twelve of the Insurance Act be entitled to sanatorium benefit" there shall be substituted the words "the prescribed period."

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The Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1929.		
Section 21 ..	..	In paragraph (*a*) of sub-section (2), for the words "or entitled to sanatorium benefit by reason of having been an exempt person" there shall be substituted the words "or, having been an exempt person, had not, before he became so insured, completed the prescribed period since ceasing to be an exempt person."

PART II.

Section 14.

ENACTMENTS RELATING TO INSURANCE COMMITTEES.

The National Health Insurance Act, 1924.		
Section 13 ..	..	In sub-section (1), for the words "by and through the insurance committee" there shall be substituted the words "by the Ministry."
Section 14 ..	..	In sub-section (2), for the words "by and through the insurance committee" there shall be substituted the words "by the Ministry." In sub-section (4), the words "and insurance committee" shall cease to have effect as from the appointed day, and after the word "Ministry" there shall be inserted the words "and the Ministry shall make rules."
Section 23	..	For this section there shall be substituted the following section :— "The Ministry shall make rules in respect of the matters mentioned in sub-section (1) of the last preceding section in relation to the administration of such benefits as are to be administered by the Ministry."
Section 26 ..	..	The words "or an insurance committee" shall cease to have effect as from the appointed day.
Section 90 ..	..	For sub-section (2) of this section there shall be substituted the following sub-section :— "(2) Every dispute between two or more approved societies, relating to anything done or omitted by any such society under this Act or any regulations made thereunder, shall be decided in the prescribed manner by the Ministry."

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The National Health Insurance Act, 1924.	
The Fourth Schedule	Part I. shall cease to have effect as from the appointed day, so far as it relates to accounts of insurance committees.
The Fifth Schedule ..	The reference to section 83 (1) of the principal Act shall cease to have effect as from the appointed day.

THIRD SCHEDULE.

Section 19.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Geo. 5, c. 55.	The National Insurance Act, 1911.	So much of sub-section (1) of section sixty-four as requires the Ministry of Finance to consult with the Ministry of Labour.
14 & 15 Geo. 5. c. 38.	The National Health Insurance Act, 1924.	In sub-section (4) of section fourteen, the words "and insurance committee."
		In section twenty-six, the words "or an insurance committee."
		Sections forty-eight, forty-nine and fifty.
		In paragraph (*d*) of sub-section (2) of section fifty-four, the words "and sanatorium benefit."
		Sub-section (5) of section sixty-two.
		Section eighty-two.
		Section eighty-four.
		Sub-section (1) of section one hundred and eighteen.
		Sections one hundred and nineteen to one hundred and twenty-three, inclusive.

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ENACTMENTS REPEALED—(*Continued*). A.D. 1930.

Session and Chapter.	Short Title.	Extent of Repeal.
14 & 15 Geo. 5, c. 38.	The National Health Insurance Act, 1924 —*Continued.*	Sections one hundred and twenty-six and one hundred and twenty-seven. Paragraphs (6) and (7) of section one hundred and twenty-nine. Part I. of the Fourth Schedule, so far as it applies to accounts of insurance committees. In the Fifth Schedule, the reference to sub-section (1) of section eighty-three. The Sixth Schedule.
15 & 16 Geo. 5, c. 23 (N.I.).	The Widows', Orphans and Old Age Contributory Pensions Act (Northern Ireland), 1925.	Paragraphs 1, 2, and 5 of Part I. of the Fourth Schedule.
16 & 17 Geo. 5, c. 11 (N.I.).	The National Health Insurance Act (Northern Ireland), 1926.	Section two.
18 & 19 Geo. 5, c. 11 (N.I.).	The National Health Insurance Act (Northern Ireland), 1928.	Sub-section (1) of section three.

CHAPTER 14.

An Act to amend the Education Acts (Northern Ireland), 1923 and 1925, and for purposes connected therewith. [17th June, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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Provisions as to education committees and committees for schools.

Additional members of education committees. 13&14 Geo. 5. c. 21.

1.—(1) The Minister of Education shall appoint, as members of an education committee for the purposes of the Education Act (Northern Ireland), 1923 (in this Act referred to as "the principal Act"), persons who, in his opinion, are representative of the transferors by whom any schools in the education area of such committee have been transferred to the education authority, and such appointments shall be made after consultation with the transferors (to such extent as may seem to the said Minister practicable and expedient) and with the education authority concerned. In determining the number of representative persons to be so appointed as members of an education committee, the said Minister shall have regard to the number of schools transferred as aforesaid, and such members shall be additional to the members appointed under sub-section (2) or sub-section (4) of section two of the principal Act, but shall not in any case exceed in number one-fourth of the total number of members of the committee (including the members appointed by the said Minister), and the said sub-sections shall have effect as amended by this section.

(2) In this Act and in the principal Act as amended by this Act, the expression "education committee" means the education committee of a county borough council or a regional education committee, and the expression "transferors" means any trustees, persons or body of persons by whom a school has been transferred to the education authority, and includes trustees appointed in place of such trustees, the representatives of such persons, and the successors of such body, as aforesaid.

Amendment of the principal Act as to committees for management of schools and their powers. 15 & 16 Geo. 5, c. 27.

2.—(1) The following section shall be substituted for section three of the principal Act as amended by the Education Act (Northern Ireland), 1925:—

"**3.**—(1) The education authority shall, as respects every public elementary school within their education area which is a provided school or a transferred school (as hereinafter in this Act defined), make provision for the local management of the school by means of a school management committee to be appointed by the education authority; but so that several such schools may be grouped under

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" one school management committee, if the education authority so desire and the Ministry approves.

(2) A school management committee appointed under the last preceding sub-section shall be so constituted that, so far as is practicable, not less than one-half of the members to be appointed thereto shall be representative of the following persons :—

(*a*) the transferors of the transferred schools under the local management of the committee ; and

(*b*) the persons who were formerly managers of any public elementary schools which have been superseded by provided schools under the local management of the committee, or, if those persons were recognised by the Ministry as such managers by virtue of any office, then their successors in such office ;

and the remaining members shall, to the extent of not more than one-fourth of the total number, be persons nominated by the parents of children attending the school or schools under the local management of the committee at a meeting held in accordance with regulations of the Ministry, and, except as last aforesaid, shall be persons nominated by the education authority.

The education authority shall nominate in addition, as respects each school management committee, one or more representatives of the school teachers employed at the school or schools under the local management of the school management committee, and such representative or representatives shall have the right to take part in meetings of the school management committee but shall not have the right to vote on any question regarding the selection of a teacher.

If any question arises as to the right of any person or body of persons under this sub-section to be represented on or nominate a member of a school management committee, that question shall stand referred to the Ministry, whose decision shall be final.

(3) Where, in the case of a transferred school, the transfer was made before the first day of

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"April, nineteen hundred and thirty, and on condition that a separate management committee should be appointed for the school, or that the management committee for the school should be constituted in some specified manner, then, notwithstanding anything contained in either of the foregoing sub-sections, any such condition may be dispensed with if the transferors consent, but not otherwise.

(4) Whenever, except in a case to which this sub-section does not apply, it is necessary that a teacher shall be appointed for a provided or transferred public elementary school under the local management of a school management committee, the education authority of the education area within which the school is situate shall, in the manner prescribed by the Ministry, issue advertisements inviting applications for the appointment and transmit the applications, with particulars of the candidates, to the school management committee. The school management committee shall consider the applications for the appointment, and shall select therefrom and submit to the education authority, to be dealt with under the provisions of sub-section (3) of section sixty-six of this Act, the names of such of the candidates as are qualified for the time being under the regulations of the Ministry (in this Act referred to as 'qualified candidates'), or, if there are more than three qualified candidates, the names of three of them, and shall take such further steps in relation to the appointment as may be required under the said provisions.

This sub-section does not apply in a case where the education authority propose to appoint to a provided school a teacher who is serving in a school, or department of a school, which is superseded in whole or in part by the said provided school, nor does it apply to the appointment of a temporary substitute for a teacher or to the temporary appointment of a teacher.

(5) A school management committee shall, if the education authority so desire and subject to their directions, exercise in relation to the provided or transferred school or schools which are under

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"their local management all or any of the following functions :—

(*a*) carrying out, or arranging for, the lighting, heating, cleansing, repairs, sanitation and general upkeep of school premises and grounds ;

(*b*) any other function of management assigned to the committee by the education authority ;

(*c*) the function of advising the education committee upon any matter arising in relation to any school under the local management of the school management committee, or upon the administration of this Act in the locality where such school is situate.

The members of the school management committee shall have the right to visit the school or schools which are under their local management.

(6) The school management committee of any provided or transferred school or schools shall not appoint any officers or servants without the consent of the education authority, and no expenditure may be incurred by them unless such consent has been previously signified."

(2) The provisions of sub-section (2) of section eighty of the principal Act, and Part III. of the Fourth Schedule to the principal Act, shall apply to school management committees to be appointed by virtue of this section.

(3) Without prejudice to the provisions of sub-section (3) of section three of the principal Act, as amended by this Act, any school committee appointed for a provided school or transferred school, or for a group of such schools, and existing at the passing of this Act, shall thereafter continue in office for the remainder of the term for which it was appointed, and shall, until that term expires, have with respect to that school or group of schools the powers of a school management committee appointed by virtue of this section.

Powers of education authority and school management committees with respect to appointment of teachers.

3. The following sub-section shall be substituted for sub-section (3) of section sixty-six of the principal Act as amended by the Education Act (Northern Ireland), 1925 :—

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"(3) The power of appointing teachers for any public elementary school being a provided or transferred school shall, in any case to which sub-section (4) of section three of this Act applies, be exercised by the education authority in accordance with the following provisions:—

(*a*) The education authority shall take into consideration the qualified candidates for appointment whose names are submitted to them by the school management committee under sub-section (4) of section three of this Act;

(*b*) If the education authority are not satisfied to appoint some one or other of the said qualified candidates, the matter shall stand referred to the Ministry, and the Ministry may—

(i) direct that the matter shall be referred back to the school management committee for the selection and submission to the education authority of such number of other qualified candidates (not exceeding three) as the Ministry may require; or

(ii) direct the appointment of one of the qualified candidates whose names were submitted by the school management committee to the education authority; or

(iii) direct the appointment to be again advertised and dealt with under sub-section (4) of section three of this Act;

(*c*) The decision of the Ministry under the last preceding paragraph shall be final, and it shall be the duty of the education authority to take all necessary steps for the due appointment as teacher of a qualified candidate whose appointment is directed by the Ministry under the said paragraph;

(*d*) The foregoing provisions of this sub-section shall apply in a case where, in pursuance of a direction given under sub-division (i)

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"of paragraph (*b*) thereof, the school management committee submit to the education authority the names of qualified candidates, and also in the case of any subsequent submission of such names in pursuance of a direction so given.

The power of appointing a teacher for a school provided by or transferred to the education authority, except in a case to which sub-section (4) of section three of this Act applies, shall be exercised by the education authority and shall not be delegated to a school management committee, and, in a case to which the said sub-section (4) applies, shall not be so delegated except to the extent mentioned in the foregoing provisions of this sub-section."

Provisions as to Bible instruction.

Provision of Bible instruction in provided and transferred schools.

4.—(1) If Bible instruction is not provided by the education authority in any public elementary school, being a provided school or transferred school, it shall be the duty of the education authority to provide Bible instruction, should the parents of not less than ten children who are in regular attendance at such school make application to the education authority for that purpose in the prescribed manner: Provided that the obligation under this sub-section shall not arise or continue where there is another public elementary school in which Bible instruction is given and which in the opinion of the Ministry such children can conveniently attend.

(2) All Bible instruction provided by the education authority in a provided or transferred school must be arranged so that—

(*a*) the school shall be open to children of all religious denominations for combined literary and moral instruction;

(*b*) in respect of Bible instruction due regard shall be had to parental right and authority, and accordingly no child shall receive or be present at any Bible instruction of which the child's parents disapprove;

(*c*) the times for giving Bible instruction shall be so arranged that no child shall be thereby in effect excluded, directly or indirectly, from the

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other advantages which the school affords; and

(*d*) the times at which Bible instruction is given shall not form part of the times during which any child is required by the principal Act, and any bye-law made thereunder, to attend school.

(3) Where the education authority makes arrangements for Bible instruction in a provided or transferred school it shall be the duty of the teachers of the school to give such instruction, if so required by the education authority:

Provided that—

(i) the freedom of a teacher to give religious instruction under and in accordance with Part V. of the principal Act shall not be restricted by such arrangements, nor shall such arrangements be taken to impose upon any teacher an obligation to give religious instruction as aforesaid; and

(ii) a teacher who has given Bible instruction in a bonâ fide manner, in accordance with the programme of Bible instruction adopted by the education authority, shall not be liable to dismissal on grounds connected with the efficiency of the work of such teacher in giving Bible instruction.

(4) The Ministry shall make such regulations as it may consider necessary for securing that the provisions of this section are complied with.

(5) For the purposes of this section the expression "Bible instruction" means instruction based upon the Holy Scriptures according to some authoritative version or versions thereof, but excluding instruction as to any tenet which is distinctive of any particular religious denomination.

Protection for teachers in schools provided or transferred.

5. No teacher in any school provided by or transferred to an education authority may be required, as a condition of appointment or holding office, to teach any religious catechism or religious formulary which is distinctive of any particular religious denomination.

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Power to enforce performance of duties by education authority.

Extension of powers of Ministry under s. 98 of the principal Act.

6. The power conferred upon the Ministry by section ninety-eight of the principal Act to make orders shall include the power to make orders for the purpose of compelling an education authority—

(*a*) to comply with any order or direction of the Ministry in relation to any of the duties of the education authority under the principal Act or this Act; or

(*b*) to exercise such of their powers under the principal Act or this Act as, in the opinion of the Ministry, require to be exercised for the promotion of elementary or higher education; or

(*c*) to refrain from doing any act which, in the opinion of the Ministry, is prejudicial to the promotion of elementary or higher education.

Provisions as to elementary education.

Powers for the education of children in exceptional circumstances.

7. Where an education authority are satisfied, in the case of any children, that, owing to the remoteness of the children's homes or the conditions under which they are living, or to any exceptional circumstances affecting them, those children are not in a position to receive the full benefit of elementary education by means of the ordinary provision available for the purpose, the authority may, with the approval of the Ministry, make such arrangements, including the provision of board and lodging, as they think best suited for the purpose of enabling those children to receive the benefit of efficient elementary education, and may, for that purpose, enter into such agreement with the parent of any such child as they think proper:

Provided that when a child is boarded out in pursuance of this section, the education authority shall, if possible, arrange for the boarding out being with a person belonging to the religious persuasion of the child's parents.

Amendment of s. 15 of the principal Act as to voluntary schools

8. Sub-section (2) of section fifteen of the principal Act shall have effect subject to the following amendments:—

(*a*) In paragraph (*a*) of the said sub-section two years shall be substituted for eighteen months;

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(*b*) It shall not be lawful for an education authority to refuse to approve of estimates of expenditure duly submitted to them by the managers or body controlling a voluntary school, unless such estimates are excessive or such expenditure is not necessary for the efficient maintenance of the school, and any question which may arise under this provision shall be referred to the Ministry, whose decision shall be final;

(*c*) Where, after the passing of this Act, an education authority, in fulfilment of their duty under the said sub-section, make, in any year, a contribution of a sum exceeding fifty pounds towards expenditure upon a voluntary school, other than expenditure on the lighting, heating and cleansing of the school premises and grounds, then, notwithstanding anything contained in the said sub-section as amended by this section, the education authority may require, as a condition of such contribution, that the amount thereof, or such part as may be agreed upon with the managers or body controlling the school, shall be repaid if, before the expiry of a period to be agreed upon as aforesaid or in default of agreement to be fixed by the Ministry, the school is discontinued as a public elementary school or ceases to be managed by a school committee appointed under the said sub-section;

(*d*) It shall be the duty of the education authority to make provision for the appointment of a school committee for a voluntary school, consisting of such persons as are mentioned in the proviso to the said sub-section, in any case where such appointment is made by the said proviso a necessary condition for the receipt of a contribution from the education authority towards the expenditure upon a voluntary school;

(*e*) A school committee for the purposes of the proviso to the said sub-section shall be appointed and shall conduct its proceedings, in accordance with a scheme framed by the education authority and approved by the Ministry, and the scheme shall make provision

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with respect to the period for which the committee is to exist, the appointment of members thereof not less frequently than once in three years, and the number of meetings to be held in each year.

Amendment of s. 16 of the principal Act as to voluntary schools.

9. Section sixteen of the principal Act shall have effect subject to the following amendments :—

(*a*) The purposes for which an education authority may make contributions under sub-section (1) of the said section shall include the equipment of an existing voluntary school ;

(*b*) In the proviso to sub-section (1) of the said section for the words " a school committee approved by the Ministry " there shall be substituted the words " a school committee appointed in accordance with the proviso to sub-section (2) of section fifteen of this Act " ;

(*c*) The following sub-sections shall be inserted after sub-section (1) of the said section :—

" (1A) Where an education authority make any contribution towards the provision or equipment of a new voluntary school under this section, the school premises shall be vested in trustees appointed, with the approval of the education authority and the Ministry, for the purpose of erecting and maintaining the school, and the said trustees shall nominate, as occasion requires, the trustees' representatives on the school committee appointed for the school ;

(1B) The power of an education authority to make a contribution for any purpose authorised by this section shall include a power to pay the whole, or such part as they may think fit, of the loan charges on any moneys borrowed for such purpose by the persons to whom the contribution is made ;

(1C) Where an education authority make any contribution towards the alteration, enlargement, reconstruction, or equipment of an existing voluntary school under this section, the school premises shall, if not

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"already vested in some trustees or other body approved by the Ministry be vested in trustees appointed with the approval of the education authority and the Ministry for the purpose of maintaining the school, and the said trustees shall nominate, as occasion requires, the trustees' representatives on the school committee appointed for the school;"

(*d*) The following sub-section shall be substituted for sub-section (2) of the said section, except as respects sums contributed by an education authority under the said section before the passing of this Act, that is to say:—

"(2) Any sums contributed by the education authority under this section in respect of any voluntary school, and being sums which are repayable under conditions approved by the Ministry under sub-section (1) of this section, together with interest at the rate of five per cent. per annum from the date on which such sums may become repayable, shall be a first charge in favour of the education authority upon the lands held for the purposes of the school (subject, however, to any prior charge in favour of the Commissioners of Public Works in Ireland or the Ministry of Finance); and such sums shall, in case the school buildings or equipment are sold or put to any other use than that of a public elementary school, under the management of a school committee appointed in accordance with the proviso to sub-section (2) of section fifteen of this Act, or other purpose of this Act approved by the Ministry, be recoverable, together with such interest as aforesaid, by the education authority, from any person in whom is vested, for the time being, the estate or interest in such school or lands, which was formerly held for the purposes of the school."

Government Grants and Loans for Voluntary Schools.

10.—(1) If the Ministry is satisfied that sufficient and suitable provision for the elementary education of any children of school age resident in an education area

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is required, and cannot otherwise be made, then the Ministry may pay to any person, for the purpose of the provision or equipment of a new voluntary school, or the alteration, enlargement, reconstruction or equipment of an existing voluntary school, one-half of the expenditure incurred for such purpose, and such payment shall be subject to the following conditions, that is to say:—

(*a*) the school shall be vested in trustees appointed with the approval of the Ministry for the purpose of maintaining and carrying on the school;

(*b*) the school shall be maintained and carried on as a public elementary school;

(*c*) if, within a period of fifty years from the completion of the works for the purpose of which the payment was made by the Ministry, the school ceases to be maintained and carried on as a public elementary school, the said payment shall, unless the Ministry otherwise determines, be recoverable from any person in whom is vested for the time being the estate or interest in the school premises which was formerly held for the purposes thereof:

Provided that where such payment as aforesaid is made in respect of an existing voluntary school vested in the Ministry or in trustees, by virtue of a deed to which the Commissioners of National Education in Ireland or the Ministry were parties and which was executed before the passing of this Act, the school shall continue to be vested in the Ministry or the last-mentioned trustees, as the case may be.

(2) All sums payable by the Ministry under subsection (1) of this section shall be paid out of moneys provided by Parliament.

(3) The Ministry may, with the consent of the Ministry of Finance, make such regulations as may be necessary for giving effect to the provisions of subsection (1) of this section.

(4) The powers conferred upon the Ministry of Finance by section two of the Exchequer and Financial Provisions Act (Northern Ireland), 1926, to make loans for the purposes mentioned in section two of the Loans for Schools and Training Colleges (Ireland) Act, 1884, shall include the power of making loans for the said

16 & 17 Geo. 5, c. 27.
47 & 48 Vict, c. 22.

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purposes in the case of new or existing voluntary schools other than non-vested schools within the meaning of the last-mentioned Act.

Teachers' and caretakers' residences.

Provision and transfer of teachers' residences.

11.—(1) An education authority shall have power, with the approval of the Ministry, to provide and maintain a residence for a teacher of a school provided by or transferred to that authority, and for that purpose may erect a dwelling-house or purchase, and, if necessary, enlarge or improve, an existing dwelling-house. The education authority shall charge, and the teacher shall pay, in respect of the use and occupation of a dwelling-house provided under this section, such yearly rent as the Ministry may approve.

(2) In section twenty-one of the principal Act (which relates to the transfer of intermediate or secondary schools to the education authority) after the words "land, buildings or equipment held or used in connection therewith" there shall be inserted the words "including a teacher's residence."

Provision of residences for caretakers.

12. An education authority shall have power, with the approval of the Ministry, to provide and maintain a residence for a caretaker having the care of a school provided by or transferred to that authority, or of any premises or property used by that authority for educational purposes or purposes connected therewith, and for that purpose may erect a dwelling-house or purchase, and, if necessary, enlarge or improve, an existing dwelling-house.

Provisions as to higher education.

Power to provide hostels, etc., for pupils attending certain schools.

13. An education authority may, with the approval of and subject to any conditions prescribed by the Ministry, establish, maintain and manage, or combine with any other education authority in establishing, maintaining and managing, hostels or boarding establishments (including establishments for the provision of meals for day pupils) for pupils attending schools under the management of any such education authority, and being preparatory, intermediate or secondary schools within the meaning of section nineteen of the principal Act, or technical schools as defined in sub-section (2) of section twenty-two of the principal Act. The scale of

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charges for residence and otherwise in connection with any such hostel or boarding establishment shall from time to time be so adjusted as to defray as nearly as may be the expenditure in connection therewith not otherwise provided for, but so that, if the Ministry approves, provision may be made for a reserve fund and a deficit occurring in any year notwithstanding such adjustment may be met by the education authority out of funds at their disposal.

Amendment of s. 20 of the principal Act as to scholarships, etc.

14. The following section shall be substituted for section twenty of the principal Act :—

"**20.**—(1) It shall be lawful for the education authority to grant assistance under this section for the purpose of enabling any child or person to attend at an intermediate or secondary school, university, training college, technical school or college, or other place of higher education approved for the purpose by the Ministry, in a case where—

(*a*) the child or person is ordinarily resident in the education area of the authority ; and

(*b*) in the opinion of the education authority the child or person shows promise of profiting by attendance at such place of higher education as aforesaid ; and

(*c*) the education authority are satisfied that the case is a deserving and proper one for assistance, having regard to the means of the parents of the child or person, or of the person.

Assistance may be granted under this section by payment of travelling expenses, education fees or cost of residence in a hostel or boarding establishment, or by the provision of a scholarship or otherwise, as the education authority think fit ; and assistance so granted may be continued if the child or person in whose case it was granted is ordinarily resident in Northern Ireland, although no longer ordinarily resident in the education area of the authority by whom the assistance was granted.

(2) The powers given to an education authority under this section shall be exercised in such manner as may be approved by the Ministry."

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Further powers as to higher education.

15. An education authority shall have power to make arrangements, with the approval of the Ministry, for providing or aiding the provision of continuation schools or classes by means of which suitable courses of study, instruction and physical training are afforded, with or without payment of fees, for persons resident in their education area who are not in attendance at elementary, intermediate or secondary schools, and who are no longer required by the principal Act to attend school.

Provisions as to school attendance and employment of children and young persons.

Amendment of s. 30 of the principal Act as to attendance at school.

16. Section thirty of the principal Act shall have effect subject to the following amendments :—

(*a*) An education authority may, if they think fit, prescribe the age of five years and six months as the age for the commencement of school attendance as respects their education area. and, where a bye-law prescribing that age is made and confirmed, Part VI. of the principal Act shall have effect accordingly ;

(*b*) A bye-law prescribing an age for the commencement of school attendance may be made by the education authority so as to apply to some specified part or parts of their education area ;

(*c*) Paragraph (*a*) of sub-section (1) is hereby repealed ;

(*d*) In sub-section (2) after the word "reasons" there shall be inserted the words "and no other reason."

Amendment and explanation of s. 32 of the principal Act as to school attendance orders.

17.—(1) In section thirty-two of the principal Act the words "after due warning to the parent" are hereby repealed.

(2) An education authority may at any time, if it appears to them necessary or expedient so to do, revoke a school attendance order made by them under section thirty-two of the principal Act, or vary such order so as to require attendance at some school other than that named in the order.

(3) It is hereby declared that the powers of an education authority under section thirty-two of the

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principal Act may be exercised by such sub-committee or sub-committees of the authority as may be appointed for that purpose under and subject to the provisions of Part I. or Part II. (as the case may require) of the Fourth Schedule to the principal Act.

Amendment of s. 34 of the principal Act as to dates for school attendance.

18. The following sub-section shall be substituted for sub-section (2) of section thirty-four of the principal Act :—

"(2) For the purposes of this Act a child shall be deemed to attain the age of five years, five years and six months, or six, twelve, fourteen or (in the case of an afflicted child) sixteen years respectively on the prescribed date next succeeding the fifth, sixth, twelfth, fourteenth or sixteenth anniversary of the child's birth, or next succeeding the attainment by the child of the age of five years and six months, as the case may be."

Proceedings where admission to school is refused in certain cases.

19. Where, by reason of the habits or conduct of a child who is required by or under Part VI. of the principal Act to attend school, or by reason of the refusal of such child to submit to reasonable school discipline, there is no public elementary school to which the child could be admitted without prejudice to the education of the other pupils, then, if the Ministry is satisfied that the refusal to admit the child to any such school is justified by such circumstances as aforesaid, the education authority may apply to a court of summary jurisdiction for an order that the child be sent to a certified industrial school, and the court, if satisfied that the circumstances of the case so require, may make an order accordingly.

Amendment of s. 36 of the principal Act as to exemptions from school attendance for purpose of employment.

20. Paragraph (*b*) of the proviso to sub-section (1) of section thirty-six of the principal Act, and the word "and" at the end of paragraph (*a*) of that proviso, are hereby repealed.

Amendment of s. 46 (2) of the principal Act as to employment of children and young persons.

21. The following sub-section shall be substituted for sub-section (2) of section forty-six of the principal Act :—

"(2) The provisions of this Part of this Act shall be in addition to any enactments relating to the employment of children and young persons in factories, workshops, mines and quarries, or for

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"giving effect to any international convention regulating the employment of children and young persons."

Provisions as to afflicted children.

Power of Ministry to provide schools for feeble-minded children.

22.—(1) The Ministry shall have power, if it thinks fit, to establish, maintain and manage a school or schools for educating, boarding and lodging feeble-minded children for whom suitable provision is not otherwise made, and to appoint officers and do all such things as may be necessary for the said purposes.

(2) A school established by the Ministry under this section shall, for the purposes of Part IX. of the principal Act, be deemed to be certified as a school for feeble-minded children as defined for those purposes.

(3) Where an education authority, in fulfilment of their duty under section fifty-six of the principal Act, make arrangements for the education and maintenance in a school established under this section of any feeble-minded child belonging to their education area, that authority shall pay towards the expenses of the maintenance and education of the child as aforesaid a contribution, to be at such rate as may be determined by the Ministry after consultation with the Ministry of Finance, and to be treated as expenses incurred by the education authority in respect of an afflicted child under Part IX. of the principal Act; and the amount of such contribution shall be a debt due by the education authority to the Ministry, and may, without prejudice to any other remedy, be deducted from any sums payable to the education authority by way of grant out of moneys provided by Parliament.

(4) There shall be paid out of moneys provided by Parliament all such expenses as may be incurred by the Ministry, with the sanction of the Ministry of Finance, in connection with the establishment, maintenance and management of any school under this section, and in connection with the maintenance of feeble-minded children therein.

Notification of mentally defective children.

23. It shall be the duty of an education authority, as respects their education area, to notify to the Ministry of Home Affairs the names of afflicted children (as defined for the purposes of Part IX. of the principal Act) who, on

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or before attaining the age of sixteen years, are about to be withdrawn from a special class or school for mentally defective children, and in whose case the education authority are of opinion that it would be to their benefit that they should be sent to an institution suitable for such cases or placed under guardianship.

Provisions as to teachers.

Procedure on dismissal of a teacher.

24. The following section shall be substituted for section sixty-eight of the principal Act:—

"**68.**—(1) Where a teacher in a public elementary school, or preparatory, intermediate, secondary or technical school or institution, being a school or institution to or in respect of which grants are made out of moneys provided by Parliament, has been notified of dismissal from his position at the school or institution, and within six weeks after the receipt by the teacher of notice of dismissal a petition is presented to the Ministry by the teacher praying for an inquiry into the reasons for such dismissal, the Ministry shall cause to be made such inquiry as it thinks fit.

(2) If, as the result of such inquiry (at which the teacher may be represented), the Ministry is of opinion that the dismissal is not reasonably justifiable, the Ministry shall communicate such opinion to the education authority (or, in the case of a school not provided by or transferred to an education authority, to the managers or school committee of such school) and to the teacher.

(3) In the event of the education authority, managers or school committee, as the case may require, being unable or unwilling to retain or re-instate the teacher, the Ministry may withhold or reduce any grant payable by it to or in respect of the school or institution, and may, out of the grant, pay to the teacher such sum as the Ministry may determine, not exceeding a sum equivalent to his salary and other emoluments (if any) for a period of twelve months at the rate at which he would have been entitled to be paid, had he continued to serve in the position at the school from which he was dismissed.

(4) Proceedings may be taken under this section notwithstanding any provisions contained

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"in the agreement under which a teacher is employed, whether entered into before or after the passing of this Act.

(5) Nothing in this section shall affect the power of the managers of a school or institution summarily to suspend any teacher from the performance of duty."

Administrative provisions.

Contribution orders in respect of elementary education.

25.—(1) Where any children resident in the area of an education authority are receiving education in any public elementary school within the area of some other education authority, the Ministry may, if it thinks fit, on the application of that other education authority (in this section referred to as "the applicant authority"), and after giving the first-mentioned education authority (in this section referred to as "the respondent authority") an opportunity of being heard, make a contribution order under this section.

(2) For the purpose of this section, a contribution order means an order directing the respondent authority to pay to the applicant authority annually such sum as the Ministry thinks proper in respect of children resident in the area of the respondent authority who, in the opinion of the Ministry, are properly receiving education in a public elementary school within the area of the applicant authority.

(3) In considering whether children are properly receiving education in a school outside the area in which they reside, the Ministry shall have regard to the interests of education, to the wishes of parents as to the education of their children, and to economy of rates.

(4) Any sum due to an applicant authority under a contribution order shall be recoverable as a debt due to that authority from the respondent authority, and the Ministry may, if it thinks fit, without prejudice to any other remedy on the part of the applicant authority, pay any such sum to the applicant authority, and deduct any sum so paid from any sums payable to the respondent authority by way of grant out of moneys provided by Parliament.

(5) If any question arises between the applicant and respondent authorities as to the amount due in any

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year under a contribution order, that question shall be referred to the Ministry, whose decision shall be final.

(6) The Ministry may revoke or vary a contribution order on the application either of the applicant authority or of the respondent authority after giving the other authority an opportunity of being heard.

Amendment of s. 73 of the principal Act as to financial schemes.

26. In sub-section (4) of section seventy-three of the principal Act (which relates to expenses of the education authority) for the words "sum proposed to be paid" there shall be substituted the words "amount estimated to be payable."

Power to acquire water.

27. For the purposes of section eighty-one of, and the Fifth Schedule to, the principal Act, the expression "land" includes water, and any interest in or right to or over water.

Superannuation of officers of education authorities.

28.—(1) The following enactments shall apply, and shall be deemed always to have applied, in the case of officers appointed by education authorities under section eighty-four of the principal Act, or transferred to education authorities under the Third Schedule thereto or otherwise, and not being teachers to whom Part XI. of the principal Act applies, that is to say—

(*a*) in the case of an officer of the council of a county borough or of the education committee of such council, the Local Officers Superannuation Act (Ireland), 1869; 32 & 33 Vict., c. 79.

(*b*) in the case of an officer of a county council, not being the council of a county borough, or of a regional education committee, the enactments applied to officers of county councils by sub-section (11) of section eighty-three of the Local Government (Ireland) Act, 1898. 61 & 62 Vict., c. 37.

The enactments aforesaid shall apply to medical officers appointed by or transferred to education authorities in like manner as they apply to medical officers of health and dispensary medical officers.

(2) Where any person, formerly employed as an officer of a school attendance committee under the Irish Education Act, 1892, and devoting his whole time to the duties of his office, became an officer of an education authority in pursuance of article three of the Third 55 & 56 Vict., c. 42.

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Schedule to the principal Act, such portion (if any) of the service of that person as an officer of the school attendance committee as may be authorised by the Ministry of Home Affairs, after consultation with the Ministry, shall be reckoned as service under the education authority for the purposes of any grant to that person of a superannuation allowance on his retirement from the service of the education authority.

(3) Where a person, formerly employed in a pensionable office, has, before the passing of this Act, become or thereafter becomes an officer of an education authority, such portion (if any) of the service of that person when formerly employed in such pensionable office as may be authorised by the Ministry of Home Affairs, after consultation with the Ministry, shall be reckoned as service under the education authority for the purposes of any grant to that person of a superannuation allowance on his retirement from the service of the education authority.

For the purposes of this sub-section the expression "pensionable office" means an office coming within the provisions of the enactments mentioned in paragraph (*a*) or paragraph (*b*) of sub-section (1) of this section; and a person formerly employed as a whole-time officer by a committee of or appointed by a local authority having power to grant superannuation allowances under any of the said enactments, or of or appointed by several such local authorities, shall be deemed to have been formerly employed in a pensionable office

The provisions of this sub-section shall be in addition to and not in derogation of any of the provisions of the said enactments.

Summary recovery of debt.

29. Any such amount as is under the provisions of the principal Act or this Act recoverable summarily as a civil debt may, without prejudice to any other remedy, be recovered summarily, notwithstanding anything in section five of the Manor Courts Abolition (Ireland) Act, 1859, and in any summary proceedings in Northern Ireland for the recovery of any such amount any order for the payment of money may be enforced in like manner as an order for the repayment of a sum recoverable summarily as a civil debt is enforceable in England, and for the purpose of an order made in any such proceedings

22 Vict., c. 14.

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section thirty-five of the Summary Jurisdiction Act, 1879, shall apply to Northern Ireland with the substitution of a reference to the Debtors (Ireland) Act, 1872, for the reference therein to the Debtors Act, 1869.

42 & 43 Vict., c. 49.
35 & 36 Vict., c. 57.
32 & 33 Vict., c. 62.

Inspection of endowed schools.
48 & 49 Vict. c. 78.

30. Every scheme in force under the Educational Endowments (Ireland) Act, 1885, shall have effect as if the following provision for the periodical inspection of schools sharing in any endowment dealt with by the scheme were inserted therein in lieu of any provision in that behalf contained in the scheme, that is to say :—

> "Every school sharing in the endowment to which this scheme applies shall be inspected periodically by an inspector of, or other person appointed by, the Ministry of Education at such times as the said Ministry may direct, and such inspector or other person shall furnish a report of his inspection to the said Ministry. Where an inspector of the Ministry of Education is appointed as aforesaid, such fee (if any), in respect of his services, as the said Ministry may direct shall be paid by the governing body to the said Ministry, and appropriated in aid of the moneys provided by Parliament for the expenses of the said Ministry; and, where a person other than such inspector is appointed as aforesaid, the governing body shall pay to that person such remuneration as the said Ministry may direct."

Accordingly, section seventeen of the said Act (as amended by section three of the Administrative Provisions Act (Northern Ireland), 1928) shall be construed as requiring provision to be made as aforesaid, and references in the said section seventeen to the Governor of Northern Ireland shall be construed as references to the Ministry of Education.

18 & 19 Geo. 5, c. 14.

Agreement with Belfast education authority.

Agreement in connection with transfer of Belfast Model Schools and other premises to education authority.

31. Whereas it is enacted by sub-section (1) of section fourteen of the principal Act that the Belfast Model Schools may at any time, if the Ministry so directs, be transferred from the Ministry to the education authority for the county borough of Belfast:

And whereas by an agreement dated the twenty-fourth day of February, nineteen hundred and thirty,

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and made between the Ministry and the Ministry of Finance of the one part, and the Lord Mayor, Aldermen and Citizens of the city of Belfast acting by the Council as the education authority for the county borough of Belfast (in this section referred to as the "education authority") of the other part, which agreement is set forth in the Schedule to this Act and is in this section referred to as "the scheduled agreement," it was agreed that, for the purposes and subject to the conditions mentioned in the scheduled agreement, the premises and equipment therein mentioned should be transferred to the education authority, and the Ministry of Finance should pay a sum of ten thousand pounds to the education authority:

And whereas the scheduled agreement is necessary in order to give to the education authority the full benefit of the transfer of the said Model Schools which is authorised by sub-section (1) of section fourteen of the principal Act, and the provisions of the scheduled agreement cannot take effect without the authority of Parliament:

Therefore, the following provisions shall have effect:—

(*a*) The scheduled agreement is hereby confirmed and shall have effect as if enacted in this Act;

(*b*) The sum of ten thousand pounds to be paid by the Ministry of Finance under the scheduled agreement shall be paid out of moneys provided by Parliament;

(*c*) In the event of the said sum being repaid by the education authority under clause (8) of the scheduled agreement, the same shall be paid into the Exchequer of Northern Ireland.

Supplemental.

Interpretation.

32. References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

Short title, construction, and citation.

33. This Act may be cited as the Education Act (Northern Ireland), 1930, and shall be construed as one with the Education Acts (Northern Ireland), 1923 and 1925; and those Acts, the Education Associations Act (Northern Ireland), 1928, and this Act may be cited together as the Education Acts (Northern Ireland), 1923 to 1930.

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SCHEDULE. A.D. 1930

AGREEMENT WITH THE BELFAST EDUCATION AUTHORITY.

MEMORANDUM OF AGREEMENT made this twenty-fourth day of February, 1930, between the Ministry of Education for Northern Ireland and the Ministry of Finance for Northern Ireland of the one part and the Lord Mayor Aldermen and Citizens of the City of Belfast acting by the Council as the Education Authority for the County Borough of Belfast (hereinafter referred to as the Education Authority) of the other part.

Whereas the said Ministry of Education holds certain premises at Cliftonville under a Fee Farm Grant dated 20th day of October, 1922, and made between William Bennett of the one part and the said Ministry of Education for Northern Ireland of the other part in which and in certain other premises held on monthly tenancy and known as Percy Street Hall the Belfast Model Schools have been carried on.

And whereas by Section 14 (1) of the Education Act (Northern Ireland), 1923, the said Ministry of Education is empowered to transfer to the Education Authority the said Model Schools.

And whereas the said Ministry of Finance hold in fee simple premises situate in May Street in the City of Belfast more particularly delineated on the map endorsed hereon and thereon edged red under an Indenture of Conveyance dated 31st March, 1925, and made between William Charles Pollock and the Ministry of Finance for Northern Ireland.

Now subject to Parliamentary sanction where such sanction may be necessary being obtained IT IS HEREBY AGREED by and between the parties hereto as follows :—

(1) That the said Ministry of Education will with reasonable speed transfer to the Education Authority the Model Schools and premises at Cliftonville (subject to the rent clauses covenants and conditions under which the premises are held) together with all the School equipment belonging to the said Ministries set out in the Schedule of Equipment annexed hereto used in carrying on the said Model Schools.

(2) The Education Authority shall take over the existing staff of teachers of the said Model Schools as provided in Section 14 (4) (*a*) of the Education Act as from the first day of April, 1929.

(3) The said Ministry of Finance shall transfer as beneficial owners the said May Street premises to the Education Authority.

(4) The said Ministry of Finance shall subject to the provision by Parliament of the necessary money grant make a special payment of £10,000 to the said Education Authority towards the erection and equipment of such School building (not necessarily a Public Elementary School) as may be erected on the said May Street site such payment to be made when possession of the site has been obtained and building operations commenced.

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(5) The Education Authority shall commence the construction of the said School building on the May Street site within a reasonable time after the 1st day of January, 1931, provided vacant possession of the site can be obtained on or before the said 1st day of January, 1931, and in case vacant possession cannot be obtained on such date building operations to commence within a reasonable time after vacant possession of that site can be obtained.

(6) The Ministry of Finance and the Ministry of Education shall with all convenient speed make out and furnish a good title to the premises hereby agreed to be transferred and shall take all necessary steps in law and shall execute and cause all necessary parties to execute all necessary deeds or documents for the effectual carrying out of this Agreement.

(7) In case the said payment of £10,000 shall not have been made by the Ministry of Finance by the date upon which possession of the May Street site has been obtained and building operations thereon commenced the foregoing Agreement shall become null and void and thereupon the Ministry of Education and the Ministry of Finance shall forthwith repay to the Education Authority all sums paid by them for ground rent rates taxes insurance and all expenses incurred in connection with the heating cleaning lighting repair upkeep and maintenance of the said premises and the existing Schools on the said premises or the erection of a new School on portion thereof or otherwise in connection with the subject matter of the property agreed to be transferred from the 1st day of April, 1929, to the date of cancellation of this Agreement.

(8) In the event of the said payment of £10,000 having been made by the Ministry of Finance and the Education Authority failing to complete the erection of the School referred to in Clause (4) hereof or if having completed its erection they fail or cease to utilise it as a School the Education Authority shall forthwith repay to the Ministry of Finance the said sum of £10,000 without interest (unless having completed the erection of the said School they shall thereafter have expended a sum of at least £10,000 to the satisfaction of the Ministry of Finance on the erection of a similar School on a site approved by the Ministry of Finance in lieu of the School to be erected by the Education Authority as aforesaid in which event the Education Authority shall be at liberty to sell or dispose of the May Street site with any School buildings erected thereon).

IN WITNESS WHEREOF the parties hereto have caused their Seals to be affixed hereto the day and year first herein written.

(*Schedule—List of Equipment*).

The Official Seal of the Ministry of Education for Northern Ireland affixed hereto in presence of—
J. YATES,
Assistant Secretary. (SEAL)

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The Official Seal of the Ministry of Finance for Northern Ireland affixed hereto in presence of—
G. C. DUGGAN,
Assistant Secretary. (SEAL)

The Corporate Seal of the City of Belfast was affixed hereto in presence of—
W. F. COATES,
Lord Mayor.
R. MEYER,
Town Clerk. (SEAL)

CHAPTER 15.

An Act to continue certain Expiring Laws as respects Northern Ireland.

[25th November, 1930].

WHEREAS the Acts (whether passed by the Parliament of the United Kingdom or by the Parliament of Northern Ireland) mentioned in the Schedule to this Act are, in so far as they are in force in Northern Ireland and are temporary in their duration, limited to expire on the thirty-first day of December, nineteen hundred and thirty:

And whereas it is expedient to provide for the continuance as in this Act mentioned of those Acts, and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Continuance of Acts in Schedule.

1.—(1) The Acts mentioned in the several Parts of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued as respects Northern Ireland until the thirty-first day of December, nineteen hundred and thirty-one, and shall then expire unless further continued.

(2) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

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Short title and construction.

2.—(1) This Act may be cited as the Expiring Laws Continuance Act (Northern Ireland), 1930.

(2) References in this Act to any enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

(3) Nothing in this Act shall be construed as affecting any enactment in so far as the enactment relates to a matter with respect to which the Parliament of Northern Ireland has not power to make laws.

SCHEDULE.

PART I.

Enactments of the United Kingdom Parliament continued in their Duration.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4 Amending Acts.
(1) 33 & 34 Vict., c. 112.	The Glebe Loan (Ireland) Act, 1870.	The whole Act.	34 & 35 Vict., c. 100. 49 & 50 Vict., c. 6.
(2) 2 & 3 Geo. 5, c. 2.	The Coal Mines (Minimum Wage) Act, 1912	The whole Act.	—
(3) 4 & 5 Geo. 5, c. 3.	The Grey Seals Protection Act, 1914.	The whole Act.	—
(4) 4 & 5 Geo. 5, c. 78.	The Courts (Emergency Powers) Act, 1914.	So far as it relates to orders made by any court before the thirty first day of August, nineteen hundred and twenty-two.	5 & 6 Geo. 5, c. 19. 6 & 7 Geo. 5, c. 13. 6 & 7 Geo. 5, c. 18. 7 & 8 Geo. 5, c. 25. 9 & 10 Geo. 5, c. 64. 10 & 11 Geo. 5, c. 5. 14 & 15 Geo. 5, c.21 (Northern Ireland).

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SCHEDULE—(continued).

PART I.—(continued).

(1) Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(5) 8 & 9 Geo. 5, c. 34.	The Statutory Undertakings (Temporary Increase of Charges) Act, 1918.	The whole Act.	10 & 11 Geo. 5, c. 14.
(6) 10 & 11 Geo. 5, c. 21.	The Harbours, Docks, and Piers (Temporary Increase of Charges) Act, 1920.	The whole Act.	
(7) 10 & 11 Geo. 5, c. 57.	The Unemployment (Relief Works) Act, 1920.	The whole Act.	—
(8) 10 & 11 Geo. 5, c. 65.	The Employment of Women, Young Persons, and Children Act, 1920.	Section two.	

PART II.

Enactments of the Parliament of Northern Ireland continued in their Duration.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 12 Geo. 5, c. 5.	The Local Government (Emergency Powers) Act, 1921 [N.I.].	The whole Act.	—
(2) 15 & 16 Geo. 5, c. 7.	The Canals (Continuance of Charging Powers) Act (Northern Ireland), 1925.	The whole Act.	—

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CHAPTER 16.

An Act to amend the provisions of the Weights and Measures Acts with respect to measuring instruments, and the power to charge fees and the provision of local sub-standards and scales in connection with the testing of weighing and measuring apparatus, and with respect to the administration of the said Acts in certain boroughs. [25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Definition of measuring instrument. 52 & 53 Vict., c. 21.

1.—(1) The definition of "measuring instrument" contained in section thirty-five of the Weights and Measures Act, 1889, shall be extended so as to include any instrument for the measuring of superficial area or for measurement by counting.

(2) For the purposes of the Weights and Measures Acts, 1878 to 1904, as amended by this Act, a measuring instrument shall be deemed to be used for trade if used for any transaction which is excluded from the definition of "trade" contained in section nineteen of the Weights and Measures Act, 1878, by reason only that such transaction is based upon numbers to be ascertained by an instrument for measurement by counting.

Regulations as to measuring instruments. 4 Edw. 7, c. 28.

2. The power of the Ministry of Commerce to make general regulations under section five of the Weights and Measures Act, 1904, shall include power to apply to any such measuring instruments used for trade as are specified in the regulations any of the provisions, including penal provisions, of the Weights and Measures Acts, 1878 to 1904, with respect to weights, measures or weighing instruments, and to make such consequential or supplemental provisions as appear necessary for giving full effect to the regulations.

Power to charge fees in connection with

3.—(1) The Ministry of Commerce shall be entitled to charge on the comparison and verification of local standards and other standards for the use of local

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testing, etc., of weighing and measuring apparatus.

authorities under the Weights and Measures Acts, 1878 to 1904, or of inspectors of weights and measures such fees as the said Ministry may fix with the approval of the Ministry of Finance, and the provisions of section eight of the Weights and Measures Act, 1889, as that section is amended by this Act, shall apply to any such fees.

(2) Any power conferred by the Weights and Measures Acts, 1878 to 1904, or by this Act, on the Ministry of Commerce or on inspectors of weights and measures to charge fees in respect of the testing, examination, comparison or verification of any weighing or measuring apparatus shall include and be deemed always to have included power to charge fees in respect of the matters aforesaid whether or not the apparatus is found correct or is stamped.

(3) The power of the Governor of Northern Ireland under section nine of the Weights and Measures Act, 1904, of specifying by Order in Council new fees to be paid in respect of the verification and stamping of weights, measures and weighing and measuring instruments shall include and be deemed always to have included the power of specifying fees to be paid whether or not the weighing or measuring apparatus is found correct or is stamped.

(4) In this section the expression "weighing and measuring apparatus" includes weights, measures, weighing and measuring instruments, local standards and other standards.

Amendment of ss 73 and 79 of 41 & 42 Vict., c. 49.

4. Notwithstanding the provisions of sub-section (3) of section seventy-eight of the Weights and Measures Act, 1878, the obligation of the local authority of a county under that sub-section shall be limited to the provision for that county of such number of sets of local sub-standards, and sets of accurate scales, to be kept in such places, as the Ministry of Commerce may direct; and the number of such sets so directed to be provided shall be deemed to be a sufficient number for the purposes of any inquiry under section seventy-nine of the said Act.

Amendment as to local authorities for certain boroughs.

5. The town council of a borough other than a county borough shall not be a local authority for the purposes of the Weights and Measures Acts, 1878 to 1904, as amended by this Act, and any such borough shall for

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those purposes form part of the area of the local authority for the county within which such borough is situate. Accordingly, any references in the said Acts to a borough shall be construed as references to a county borough.

Repeal.

6. The enactments set out in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule:

Provided that any regulations made and any certificates given under the powers conferred by the Weights and Measures (Leather Measurement) Act, 1919, shall continue in force and shall have effect as though made or given under the Weights and Measures Acts, 1878 to 1904, as amended by this Act.

9 & 10 Geo. 5 c. 29.

Short title and construction.

7.—(1) This Act may be cited as the Weights and Measures (Amendment) Act (Northern Ireland), 1930, and shall be construed as one with the Weights and Measures Acts, 1878 to 1904, and those Acts and this Act may be cited together as the Weights and Measures Acts (Northern Ireland), 1878 to 1930.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

SCHEDULE.

ENACTMENTS REPEALED.

Section 6.

Session and Chapter.	Short Title.	Extent of Repeal.
41 & 42 Vict., c. 49.	The Weights and Measures Act, 1878.	In section thirty-seven the words "nor shall any fee be payable on the verification or re-verification of any local standard."
52 & 53 Vict., c. 21.	The Weights and Measures Act, 1889.	In sub-section (1) of section eight the words "not being standards for the use of a local authority or their officers and."
9 & 10 Geo. 5, c. 29.	The Weights and Measures (Leather Measurement) Act, 1919.	The whole Act.

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CHAPTER 17.

A.D. 1930.

An Act to amend the provisions of the Exchequer and Financial Provisions Act (Northern Ireland), 1923, with respect to the Reserve Fund and the Capital Fund established under that Act, and to provide for the application of certain moneys issued to the said Reserve Fund.

[25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment of enactments relating to the Reserve Fund. 13&14Geo.5, c. 4.

1.—(1) The following provisions shall have effect in relation to the Reserve Fund created under sub-section (2) of section two of the Exchequer and Financial Provisions Act (Northern Ireland), 1923 (in this Act referred to as "the Act of 1923"), that is to say :—

(*a*) The annual surplus, as defined in sub-section (1) of the said section, shall continue to be issued out of the Consolidated Fund and paid into the Reserve Fund ;

(*b*) The Reserve Fund shall be held by the Ministry of Finance for the following purposes :—

First, for the purpose of such adjustments as require to be made under section one of the Exchequer and Financial Provisions Act (Northern Ireland), 1927, for the bringing into account of the Northern Ireland residuary share of reserved taxes ; 17&18Geo.5, c. 10.

Secondly, for the purpose of being applied, in accordance with the prescribed regulations, towards the repayment of any principal sums repayable, in excess of principal sums received, in any year in respect of Ulster Savings Certificates ;

Thirdly, for the purpose of being applied, in accordance with the prescribed regulations, towards the reduction of the public debt of Northern Ireland ;

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(*c*) Subject as aforesaid, the Reserve Fund shall be utilised for such purposes as Parliament may hereafter determine.

(2) Sub-section (2), except so far as it relates to the creation of the Reserve Fund, and sub-sections (3) and (4) of section two of the Act of 1923 are hereby repealed.

(3) Notwithstanding anything in this Act, issues may be made from the Consolidated Fund to the Reserve Fund under section two of the Exchequer and Financial Provisions Act (Northern Ireland), 1927.

Amendment of enactments relating to the Capital Fund

2.—(1) The following provisions shall have effect in relation to the Capital Fund established under section four of the Act of 1923, that is to say:—

(*a*) The Ministry of Finance shall transfer from the Reserve Fund and place to the credit of the Capital Fund such sum as the said Ministry may certify to represent the total amount standing to the credit of the Reserve Fund as at the thirty-first day of March, nineteen hundred and thirty, after all adjustments have been made on the Reserve Fund under section one of the Exchequer and Financial Provisions Act (Northern Ireland), 1927, and sub-section (1) of section two of the Finance Act (Northern Ireland), 1929;

20 Geo. 5, c. 2.

(*b*) The Ministry of Finance may, in such manner as that Ministry may from time to time determine, invest moneys standing to the credit of the Capital Fund and vary any such investments and also any investments which have become part of the Capital Fund by virtue of the Act of 1923;

(*c*) The Ministry of Finance shall from time to time invest, and accumulate in the Capital Fund, the income arising from the invested capital thereof, until the Ministry certifies that the total sum in the said Fund is sufficient to repay so much of the capital of the public debt of Northern Ireland as is attributable to the making of advances from the Exchequer to meet the liabilities of the Northern Irish unemployment fund shown on the suspense

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account of that fund as at the day mentioned in sub-section (2) of section four of the Unemployment Insurance (Agreement) Act (Northern Ireland), 1926;

(*d*) Without prejudice to its accumulation as aforesaid, the Capital Fund may by the prescribed regulations be made at any time temporarily available for advances to the Exchequer in exercise of any power of the Ministry of Finance to borrow to meet ways and means;

(*e*) Subject to the provisions of the foregoing paragraphs of this sub-section, the Capital Fund shall be utilised for such purposes as Parliament may hereafter determine.

(2) Paragraph (*a*) of sub-section (1) and sub-sections (2), (3) and (4) of section four of the Act of 1923 are hereby repealed.

Application of certain moneys issued from the Consolidated Fund to the Reserve Fund.

3. The sum of one hundred thousand pounds issued to the Reserve Fund in the financial year ended on the thirty-first day of March, nineteen hundred and thirty, under section two of the Exchequer and Financial Provisions Act (Northern Ireland), 1927, shall, for the purposes of section one of that Act, be treated as having been so issued as part of the annual surplus of the said financial year, but so that sub-section (1) of section two of the Finance Act (Northern Ireland), 1929, shall not apply to any part of the said sum.

Short title and construction.

4. This Act may be cited as the Exchequer and Financial Provisions (No. 2) Act (Northern Ireland), 1930, and shall be construed as one with the Act of 1923 and the enactments amending that Act.

CHAPTER 18.

An Act to amend the Constabulary Acts (Northern Ireland), 1922 to 1928. [25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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Amendment of s. 4 of 12 & 13 Geo. 5, c. 8 as to application of certain sums.

1.—(1) Any fines, penalties, proportions of fines or penalties and damages awarded by any justice to any officer or constable of the Royal Ulster Constabulary, on any summary conviction, as the prosecutor of any information or otherwise, shall be paid to the Ministry of Home Affairs and appropriated in aid of the moneys provided by Parliament for defraying the costs, charges and expenses of the said Constabulary; and paragraph (*b*) of sub-section (5) of section four of the Constabulary Act (Northern Ireland), 1922, is hereby repealed.

(2) This section shall have effect as from the first day of April, nineteen hundred and thirty.

Short title, construction and citation.

2. This Act may be cited as the Constabulary Act (Northern Ireland), 1930, and shall be construed as one with the Constabulary Acts (Northern Ireland), 1922 to 1928, and those Acts and this Act may be cited together as the Constabulary Acts (Northern Ireland), 1922 to 1930.

CHAPTER 19.

An Act to confer on third parties rights against insurers of third-party risks in the event of the insured becoming insolvent, and in certain other events. [25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Rights of third parties against insurers on bankruptcy, &c., of the insured.

1.—(1) Where under any contract of insurance a person (in this Act referred to as "the insured") is insured against liabilities to third parties which he may incur, then—

(*a*) in the event of the insured becoming bankrupt or making a composition or arrangement with his creditors; or

(*b*) in the case of the insured being a company, in the event of a winding-up order being made, or a resolution for a voluntary winding-up

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being passed with respect to the company, or of a receiver or manager of the company's business or undertaking being duly appointed, or of possession being taken, by or on behalf of the holders of any debentures secured by a floating charge, of any property comprised in or subject to the charge;

if, either before or after that event, any such liability as aforesaid is incurred by the insured, his rights against the insurer under the contract in respect of the liability shall, notwithstanding anything in any Act or rule of law to the contrary, be transferred to and vest in the third party to whom the liability was so incurred.

(2) Where an order is made under section twenty-one of the Bankruptcy Amendment Act (Northern Ireland), 1929, for the administration of the estate of a deceased debtor according to the law of bankruptcy, then, if any debt provable in bankruptcy is owing by the deceased in respect of a liability against which he was insured under a contract of insurance as being a liability to a third party, the deceased debtor's rights against the insurer under the contract in respect of that liability shall, notwithstanding anything in the Bankruptcy Acts (Northern Ireland), 1857 to 1929, be transferred to and vest in the person to whom the debt is owing.

20 Geo. 5, c. 1.

(3) In so far as any contract of insurance made after the commencement of this Act in respect of any liability of the insured to third parties purports, whether directly or indirectly, to avoid the contract or to alter the rights of the parties thereunder upon the happening to the insured of any of the events specified in paragraph (*a*) or paragraph (*b*) of sub-section (1) of this section or upon the making of an order under section twenty-one of the Bankruptcy Amendment Act (Northern Ireland), 1929, in respect of his estate, the contract shall be of no effect.

(4) Upon a transfer under sub-section (1) or sub-section (2) of this section, the insurer shall, subject to the provisions of section three of this Act, be under the same liability to the third party as he would have been under to the insured, but—

(*a*) if the liability of the insurer to the insured exceeds the liability of the insured to the third

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party, nothing in this Act shall affect the rights of the insured against the insurer in respect of the excess; and

(*b*) if the liability of the insurer to the insured is less than the liability of the insured to the third party, nothing in this Act shall affect the rights of the third party against the insured in respect of the balance.

(5) For the purposes of this Act, the expression "liabilities to third parties," in relation to a person insured under any contract of insurance, shall not include any liability of that person in the capacity of insurer under some other contract of insurance.

(6) This Act shall not apply—

(*a*) where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company; or

17 & 18 Geo. 5 c. 16.

(*b*) to any case to which sub-sections (1) and (2) of section seven of the Workmen's Compensation Act (Northern Ireland), 1927, apply.

Duty to give necessary information to third parties.

2.—(1) In the event of any person becoming bankrupt or making a composition or arrangement with his creditors, or in the event of an order being made under section twenty-one of the Bankruptcy Amendment Act (Northern Ireland), 1929, in respect of the estate of any person, or in the event of a winding-up order being made, or a resolution for a voluntary winding-up being passed, with respect to any company or of a receiver or manager of the company's business or undertaking being duly appointed or of possession being taken by or on behalf of the holders of any debentures secured by a floating charge of any property comprised in or subject to the charge, it shall be the duty of the bankrupt, debtor, personal representative of the deceased debtor or company, and (as the case may be) of the official assignee or trustee in bankruptcy, trustee, liquidator, receiver, or manager, or person in possession of the property, to give, at the request of any person claiming that the bankrupt, debtor, deceased debtor, or company is under a liability to him, such information as may reasonably be required by that person for the purpose of ascertaining

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whether any rights have been transferred to and vested in him by this Act and for the purpose of enforcing such rights, if any; and any contract of insurance, in so far as it purports, whether directly or indirectly, to avoid the contract or to alter the rights of the parties thereunder upon the giving of any such information in the events aforesaid, or otherwise to prohibit or prevent the giving thereof in the said events, shall be of no effect.

(2) If the information given to any person in pursuance of sub-section (1) of this section discloses reasonable ground for supposing that there have or may have been transferred to that person under this Act rights against any particular insurer, that insurer shall be subject to the same duty as is imposed by the said sub-section on the persons therein mentioned.

(3) The duty to give information imposed by this section shall include a duty to allow all contracts of insurance, receipts for premiums, and other relevant documents in the possession or power of the person on whom the duty is so imposed, to be inspected and copies thereof to be taken.

Settlement between insurers and insured persons.

3. Where the insured has become bankrupt or where, in the case of the insured being a company, a winding-up order has been made or a resolution for a voluntary winding-up has been passed with respect to the company, no agreement made between the insurer and the insured after liability has been incurred to a third party and after the commencement of the bankruptcy or winding-up, as the case may be, nor any waiver, assignment, or other disposition made by, or payment made to, the insured after the commencement aforesaid shall be effective to defeat or affect the rights transferred to the third party under this Act, but those rights shall be the same as if no such agreement, waiver, assignment, disposition or payment had been made.

Short title.

4. This Act may be cited as the Third Parties (Rights against Insurers) Act (Northern Ireland), 1930.

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CHAPTER 20.

An Act to apply a Sum out of the Consolidated Fund of Northern Ireland to the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, and to appropriate the further Supplies granted in this Session of Parliament. [25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, for the purpose of making good the supply and applying the sums which the House of Commons have, in pursuance of recommendations from the Governor of Northern Ireland, granted to His Majesty in this Session of Parliament, as follows:—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £261,000 out of the Consolidated Fund.

1. The Ministry of Finance may issue out of the Consolidated Fund of Northern Ireland, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, nineteen hundred and thirty-one, the sum of two hundred and sixty-one thousand pounds.

Power for the Ministry of Finance to borrow.

2.—(1) The Ministry of Finance may borrow from any person, by the issue of Treasury Bills or otherwise, on the credit of the said sum, any sum or sums not exceeding in the whole two hundred and fifty thousand pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, nineteen hundred and thirty-one, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills) shall not apply with respect to those Bills.

40 & 41 Vict., c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with any interest due thereon, out of the growing produce of the said Consolidated Fund at any date not later than the quarter next succeeding to that in which the money was borrowed.

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(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer of Northern Ireland, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANT.

Appropriation of grant.

3. The sum granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty is appropriated for the several services and purposes expressed in the Schedule of this Act.

Short title.

4. This Act may be cited as the Appropriation (No. 2.) Act (Northern Ireland), 1930.

SCHEDULE.

SCHEDULE of the sum granted to defray the charges of the several Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1931, viz. :—

		Sum Granted.
	CLASS IV.	£
No. 3.	For the contributions to the Unemployment Fund under the Unemployment Insurance Acts and the Exchequer equalisation grant to the Unemployment Fund under the Unemployment Insurance (Agreement) Acts (Northern Ireland), 1926 and 1929	261,000

CHAPTER 21.

An Act to confer certain powers upon the Ministry of Commerce with respect to the supply of electricity, pending the general development and co-ordination of the system of supply in Northern Ireland. [25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of

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Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Interim powers of Ministry of Commerce.

1.—(1) It shall be lawful for the Ministry of Commerce (in this Act referred to as "the Ministry") during a period of one year after the passing of this Act to do all or any of the following things:—

(*a*) To purchase, upon such terms as may be agreed upon, from the owners of any generating station or stations which may be selected by the Ministry supplies of electricity generated at such station or stations;

(*b*) To use, by agreement with any authorised undertakers, any main transmission lines of those undertakers for such time and upon such terms as may be agreed upon;

(*c*) To acquire by agreement or construct main transmission lines;

(*d*) To supply electricity to authorised undertakers, and to any company or person (other than authorised undertakers) requiring a supply of electricity for power purposes, but so that the Ministry shall not supply electricity for power purposes in the area of supply of any authorised undertakers, except with the consent of those undertakers, which consent shall not be unreasonably withheld;

(*e*) To provide any transformers, switch-gear and other apparatus necessary for enabling authorised undertakers, or any such company or person as is mentioned in paragraph (*d*) of this subsection, to obtain supplies of electricity from a main transmission line existing at the passing of this Act;

(*f*) To enter into an arrangement with any authorised undertakers for the delegation to those undertakers of any powers conferred upon the Ministry by the foregoing provisions of this Act;

(*g*) To employ consultants to advise the Ministry as to schemes of electricity development and carry out surveys, examinations and investigations in connection with such schemes;

(*h*) To exercise for the purposes of this Act the powers of authorised undertakers under section

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twenty-two of the Electricity (Supply) Act, 1919.

(2) The Ministry or any consultant or other person authorised by the Ministry shall be entitled at all reasonable times to enter upon any land or premises, and there to do such acts and things as may be reasonably necessary for the purpose of any survey, examination or investigation preliminary or incidental to the exercise of any power of the Ministry under this Act:

Provided that the Ministry shall pay reasonable compensation for any injury caused by such entry or by doing as aforesaid.

(3) The Ministry may require any company or person supplying electricity for public or private purposes to give to the Ministry such information relating to such supply, and the accounts in respect thereof, as the Ministry considers necessary, and any company, and any director or officer of such company, or person who on being required to do so fails without reasonable excuse to give to the Ministry such information as aforesaid shall be liable, on summary conviction, to the like penalty as for failure without reasonable excuse to comply with an order of the Electricity Commissioners for Northern Ireland to attend as a witness and give evidence at an inquiry held by those Commissioners.

(4) The Ministry of Finance may, out of the Consolidated Fund of Northern Ireland or the growing produce thereof, advance to the Ministry such sums, not exceeding in the aggregate one hundred thousand pounds, as are required for the purpose of the exercise by the Ministry of its powers under this Act, on such terms and conditions as to interest, repayment and otherwise as the Ministry of Finance may think fit.

For the purposes of this sub-section, the acquisition by the Ministry of a main transmission line under powers conferred by any enactment in force at the passing of this Act shall be deemed to be an exercise of the powers of the Ministry under this Act.

(5) The Ministry of Finance may, for the purpose of providing for the issue of sums out of the Consolidated Fund of Northern Ireland for advances under sub-section (4) of this section, or for the repayment to that Fund of all or any part of the sums so issued, borrow money by

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means of Treasury Bills; and all sums so borrowed, and all sums received on account of the payment of principal or interest on such advances as aforesaid, shall be paid to the Exchequer of Northern Ireland.

(6) The Ministry shall cause separate accounts to be kept of all moneys received and expended by the Ministry under this Act, and shall prepare such statements of account as the Ministry of Finance may require.

(7) Where under this Act the Ministry is authorised to enter into an agreement or arrangement with any authorised undertakers, company or person for any purpose, it shall be lawful for the said undertakers, company or person to enter into and carry into effect such an agreement or arrangement.

(8) Nothing in this Act shall authorise the Ministry, or any authorised undertakers to whom any powers conferred upon the Ministry may be delegated under this Act, to supply electricity for power purposes in the area of supply of any authorised undertakers being the corporation of a county borough, except with the consent of the last-mentioned undertakers.

(9) For the purposes of this Act the expression "main transmission lines" has the meaning assigned to that expression by section thirty-six of the Electricity (Supply) Act, 1919.

Short title and construction.

2. This Act may be cited as the Electricity (Interim Supply) Act (Northern Ireland), 1930, and shall be construed as one with the Electricity (Supply) Acts, 1882 to 1919 as those Acts apply in Northern Ireland.

CHAPTER 22.

An Act to amend the law relating to tithe rentcharge and certain variable rents.

[25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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Amendment of s. 3 of 63 & 64 Vict., c. 58, and s. 90 of 3 Edw. 7, c. 37.

1.—(1) Where any tithe rentcharge or variable rent is payable to the Ministry of Finance the sum payable in respect of every gale thereof accruing due after the first day of November, nineteen hundred and thirty, shall be deemed to be varied from the amount at which it stood on the said day by being reduced by eight per cent., and shall be payable accordingly; and no tithe rentcharge or variable rent payable to the said Ministry shall be varied except in accordance with this sub-section.

(2) Where any tithe rentcharge or variable rent is payable to some person other than the Ministry of Finance, the sum payable in respect thereof shall, if the person liable to pay the same and the person to whom it is payable so agree, be deemed to be varied, and shall be payable at the same amount, as if sub-section (1) of this section applied thereto; and in default of any such agreement the provisions of the Tithe Rentcharge (Ireland) Act, 1900, shall apply to such tithe rentcharge or variable rent as if this Act had not passed.

Sale of tithe rentcharges and perpetuity rents. 35 & 36 Vict., c. 90. 20 & 21 Geo. 5, c. 4.

2.—(1) The Ministry of Finance may sell any tithe rentcharge vested in that Ministry, and the provisions of section seven of the Irish Church Act (1869) Amendment Act, 1872, and section three of the Exchequer and Financial Provisions Act (Northern Ireland), 1930, shall apply to any such sale.

Section four of the Tithe Rentcharge (Ireland) Act, 1900, is hereby repealed.

(2) Notwithstanding the provisions of paragraph (2) of section thirty-four of the Irish Church Act, 1869, a perpetuity rent may be sold in consideration of a sum calculated in accordance with section three of the Exchequer and Financial Provisions Act (Northern Ireland), 1930.

32 & 33 Vict., c. 42.

Short title and interpretation

3.—(1) This Act may be cited as the Tithe Rentcharge and Variable Rents Act (Northern Ireland), 1930.

(2) In this Act the expression "tithe rentcharge" means a tithe rentcharge to which section three of the Tithe Rentcharge (Ireland) Act, 1900, applies, or would but for this Act apply, and the expression "variable

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rent" means any such variable rent as is mentioned in section ninety of the Irish Land Act, 1903.

References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

CHAPTER 23.

An Act to provide for the maintenance of proper standards of quality and the carrying out of inspections in connection with the marketing of certain kinds of meat; for the licensing of persons engaged in such marketing, and the registration of premises used for the slaughter of animals and otherwise for such marketing; and for other purposes connected therewith.

[25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

Restriction on sending meat to Great Britain, Irish Free State and Isle of Man.

1. Except as otherwise provided by this Act, a person shall not send or attempt to send meat from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man, unless he holds a licence for that purpose under this Act, and any person who sends or attempts to send meat out of Northern Ireland in contravention of the provisions of this section shall be guilty of an offence under this Act.

Power of Ministry of Agriculture to grant licences for sending of meat to Great Britain, Irish Free State and Isle of Man.

2.—(1) Subject to the provisions of this Act, the Ministry of Agriculture shall have power to grant, revoke, and suspend licences authorising the persons named therein to send meat from Northern Ireland to Great Britain, the Irish Free State and the Isle of Man.

(2) The Ministry of Agriculture shall, on application being made in the prescribed manner and on payment of the appropriate fee specified in this section, grant, upon such conditions as may be prescribed, licences as follows, that is to say:—

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(*a*) to a person who is the proprietor of, or has arranged to the satisfaction of the said Ministry for the use of, registered premises within the meaning of this Act, a licence (in this Act referred to as "a fresh meat licence") authorising such person to send fresh meat to Great Britain, the Irish Free State and the Isle of Man;

(*b*) to a person who is a licensed bacon-curer within the meaning of this Act, a licence (in this Act referred to as "a bacon-curer's licence") authorising such person to send bacon, hams and offals to Great Britain, the Irish Free State and the Isle of Man:

Provided that the Ministry of Agriculture may refuse to grant a licence to an applicant who was formerly licensed under this Act but whose licence has been revoked.

(3) The fee for the granting or renewal of a licence shall be one pound:

Provided that no fee shall be payable for a licence under this section by a person who is a licensed bacon-curer within the meaning of this Act.

Registration of premises for slaughter and crating.

3.—(1) There shall be kept by the Ministry of Agriculture a register of premises (in this Act referred to as "registered premises") to be used for the slaughter of animals in connection with the sending of meat from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man by any person holding a fresh meat licence, and the following provisions shall apply with respect to the registration of such premises:—

(*a*) The premises may be registered for the slaughter of animals of any class or classes, and the Ministry of Agriculture shall before registering any premises be satisfied that the premises and the equipment thereof are suitable for the slaughter of animals of the class or classes to be dealt with therein, and for the preparation for sale of the meat of such animals;

(*b*) The Ministry of Agriculture may refuse to register any premises unless satisfied that not less than a prescribed number of animals will be dealt with annually on such premises,

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and may cancel the registration of any premises where the number of animals dealt with in any year has fallen below the prescribed number;

(*c*) The Ministry of Agriculture may cancel the registration of any premises, if satisfied that the premises or the equipment thereof have ceased to be suitable for registration, or at the request of the owner, or where the registration was obtained by fraud or misrepresentation, or where, in relation to the premises, there has been any contravention of this Act or the rules made thereunder;

(*d*) The Ministry of Agriculture, before registering any premises, shall consult with the sanitary authority of the district, or town commissioners of the town, in which the premises are situate.

(2) The Ministry of Agriculture may, if it thinks fit, keep a register of crating premises, on which meat coming from registered premises may be crated for the purpose of being sent to Great Britain, the Irish Free State or the Isle of Man; and before entering premises in the said register the Ministry of Agriculture shall be satisfied that the premises and the equipment thereof are generally suitable for the purpose of crating.

(3) Meat to which the provisions of this Act apply shall not be crated for the purpose of being sent to Great Britain, the Irish Free State, or the Isle of Man, except on registered premises, or premises registered under this section as crating premises; and any person who acts in contravention of the provisions of this sub-section shall be guilty of an offence under this Act.

(4) Any register kept under this section shall contain such particulars as may be prescribed, and any application for the registration of premises shall be made in the prescribed manner.

Restriction on carrying on business of curing bacon and hams.

4.—(1) A person shall not carry on the business of curing bacon and hams unless he holds a licence for that purpose under this section, and any person who carries on or attempts to carry on the said business in contravention of the provisions of this section shall be guilty of an offence under this Act.

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(2) Subject to the provisions of this Act, the Ministry of Agriculture shall have power to grant, revoke and suspend licences authorising the persons named therein to carry on the business of curing bacon and hams.

(3) The Ministry of Agriculture shall, on application being made in the prescribed manner, and on payment of the fee specified in this section, grant to any person, upon such conditions as may be prescribed, a licence for the purpose aforesaid:

Provided that the said Ministry may revoke or suspend a licence if satisfied that the holder thereof has not complied with the prescribed conditions, and may refuse to grant a licence to an applicant who was formerly licensed under this section but whose licence has been revoked.

(4) The fee for the granting or renewal of a licence under this section shall be ten pounds: Provided that the said fee shall be five pounds for a licence limited to the case where the number of carcases examined by an inspector under this Act in the period of twelve months to which the licence relates is less than two hundred.

(5) The holder of a licence under this section is in this Act referred to as "a licensed bacon-curer."

Provisions as to consignment of meat under licence.

5.—(1) A person who holds a licence under this Act shall not send or attempt to send meat out of Northern Ireland under the authority of the licence unless such meat—

(*a*) has been inspected by a veterinary inspector and found by him to comply with the prescribed requirements; and

(*b*) is sent from premises registered under this Act or used by a licensed bacon-curer for the purposes of his business as such bacon-curer; and

(*c*) is accompanied by the prescribed certificate of a veterinary inspector:

Provided that such certificate as aforesaid shall not be required in the case of consignments of bacon or hams prepared and despatched by licensed bacon-curers, but such consignments shall display, in the prescribed manner, an indication by which the sender can be identified.

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(2) A person who, being a holder of a licence under this Act, sends or attempts to send meat out of Northern Ireland in contravention of this section or in breach of any condition of his licence shall be guilty of an offence under this Act.

Fees for examination of meat.

6. A person who holds a licence under this Act shall, for the examination of meat thereunder, pay to the Ministry of Agriculture at such times as may be prescribed fees at the following rates :—

For each carcase (including offals) examined :—

Beef	One shilling.
Pork	Threepence.
Mutton or lamb ..	Three halfpence.
Goat	Three halfpence.
Horse	One Shilling.

Permits for consignments of meat in exceptional cases.

7.—(1) The Ministry of Agriculture may, in exceptional cases and upon such conditions as the said Ministry thinks fit, grant permits authorising meat of a particular kind to be sent from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man.

(2) A person who, being the holder of a permit under this section, sends or attempts to send meat out of Northern Ireland in breach of any condition of his permit shall be guilty of an offence under this Act.

General provisions as to licences and permits.

8.—(1) A licence or permit granted under this Act may be revoked or suspended by the Ministry of Agriculture by reason of the non-compliance of the holder of the licence or permit with any condition applying thereto, or for any other reason which the said Ministry may deem to be sufficient.

(2) A licence granted under this Act shall, unless revoked or suspended, remain in force for a period of twelve months from the date on which it is granted, but shall be renewable annually, and the same provisions shall apply to the renewal of a licence as apply to the original granting thereof.

(3) A licence granted under this Act shall be in the prescribed form.

(4) A certified copy of a licence may be issued upon payment of a fee of two shillings and sixpence.

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Disposal of meat unfit for human consumption

9.—(1) If any carcase or portion thereof or offals is or are examined by a veterinary inspector under the provisions of this Act or rules made thereunder, and found and certified by such inspector to be unfit for human consumption, the said carcase, portion or offals shall be so treated by the owner or person in charge thereof as may be directed by such inspector so as to render the same incapable of being used for the food of man, or, if so required by the sanitary authority of the district within which are situated the premises upon which the carcase, portion or offals have been found, shall be surrendered to that sanitary authority to be dealt with in accordance with the provisions of the Public Health (Ireland) Acts, 1878 to 1918.

(2) Where the owner or person in charge fails to treat in accordance with sub-section (1) of this section any carcase, portion of a carcase or offals found and certified by a veterinary inspector to be unfit for human consumption, the inspector may cause such carcase, portion or offals to be so treated and the expenses of such treatment may be recovered as a debt due to the Ministry of Agriculture from such owner or person.

(3) Any person who acts in contravention of the provisions of this section shall be liable on conviction, in the case of a first offence, to a fine not exceeding twenty pounds, and in the case of a second or subsequent offence to a fine not exceeding fifty pounds.

(4) Nothing contained in this section shall be construed as affecting the provisions of section one hundred and thirty-one of the Towns Improvement Clauses Act, 1847, or of sections one hundred and thirty-two to one hundred and thirty-five (inclusive) of the Public Health (Ireland) Act, 1878, as amended by section twenty-eight of the Public Health Acts Amendment Act, 1890.

10 & 11 Vict., c. 34.

41 & 42 Vict. c. 52. 53 & 54 Vict., c. 59.

Deduction from price of carcase to cover expenses and risk of condemnation under Act.

10. Where the carcase of a pig is bought by or on behalf of a licensed bacon-curer, the buyer may deduct from the price of the carcase such sum, not exceeding one shilling, as may from time to time be prescribed so as to defray the expenses of the buyer and to insure the buyer against loss in the event of the carcase being subsequently certified by an inspector, acting in the exercise of his

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powers under this Act, to be unfit for human consumption; and if such deduction is made the seller of the carcase shall not be liable in respect of any loss arising in the aforesaid event.

Liability of carriers.

11. Any carrier who accepts or carries any meat which is being, or intended to be, sent out of Northern Ireland to Great Britain, the Irish Free State or the Isle of Man, and which is not accompanied by the prescribed certificate or prescribed indication as to the sender's identity, or by a permit relating to such meat, shall be guilty of an offence under this Act.

Rules as to carriage, grading and packing of meat.

12. The Ministry of Agriculture may make rules under this Act in regard to—

(*a*) the conditions to be observed in connection with the carriage of meat to which this Act applies; and

(*b*) the grading and packing of such meat:

Provided that no such rule as to the marking of packages shall be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.

Power to enter premises and examine consignments, etc.

13.—(1) Any authorised officer shall for the purposes of this Act have power—

(*a*) to enter, at all reasonable times, any premises registered under this Act, or in respect of which an application for registration under this Act has been made, or premises owned, occupied or used, or suspected by such officer of being owned, occupied or used by any person for the slaughter of animals, the preparation of meat for sale, the curing of meat or the crating of meat;

(*b*) to examine any animals or meat found on such premises and to take, without payment, for the purpose of examination, and examine reasonable samples of such meat;

(*c*) to enter at all reasonable times the premises of any person engaged in the business of carrying goods for reward, any pier, quay, wharf, jetty, dock or dock premises, and any

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ship, boat, railway waggon, motor lorry, cart or other vessel or vehicle used for the conveyance of goods, and to examine, or retain, remove or open for the purpose of examination, any packages of meat which may be found in or upon any premises, vessel or vehicle which he is entitled to enter under this provision.

(2) Where any package of meat is examined by an authorised officer under paragraph (*c*) of sub-section (1) of this section, the package shall be marked or labelled by the officer to that effect; and such mark or label shall be deemed to be a sufficient notification to the consignor or consignee that the package has been so examined.

(3) Where the examination of meat under paragraph (*c*) of sub-section (1) of this section is made whilst the meat is in transit, and the Ministry of Agriculture or an authorised officer is satisfied that a consignment does not conform to the requirements of this Act or the rules made thereunder, the said Ministry or officer may direct that such consignment shall be returned to the consignor at the place from which it was consigned, or, if the said Ministry or officer approves, at such place as the consignor may elect, and thereupon the carrier, or the consignor, as the case may require, shall proceed to execute such direction with all reasonable speed at the expense of the consignor.

(4) Any officer of the Ministry of Agriculture acting, in the exercise of the powers conferred by this section, on the premises of, or used by, any carrier shall conform to such reasonable requirements of such carrier as are necessary to prevent the working of the traffic thereat being obstructed or interfered with; and a carrier shall not be liable for or on account of any loss or damage arising from the exercise by any officer of the Ministry of Agriculture of the powers conferred by this Act.

(5) Nothing in this section shall be construed as authorising anything to be done to the prejudice of any powers of a carrier to secure payment of freight charges in respect of any consignment carried by him.

(6) If any authorised officer discloses any information obtained by him in the exercise of his powers under

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this Act, except to persons acting in the execution of this Act, he shall be liable on conviction to a fine not exceeding fifty pounds.

Seizure and detention of consignments.

14.—(1) A member of the Royal Ulster Constabulary, or an authorised officer, shall have power to seize and detain in custody any consignment of meat which is being sent, or suspected of being sent, from Northern Ireland to Great Britain, the Irish Free State or the Isle of Man in contravention of any provision of this Act or rule made thereunder, or in breach of any condition of a licence or permit issued under this Act.

(2) Where any person detains any meat in his custody under this section, he shall, as soon as conveniently may be, take such steps as may be proper to have the person believed to be guilty of the offence committed, or believed to have been committed, in relation to such meat dealt with according to law.

(3) Where any person detains any meat in his custody under this section, and such meat becomes or is likely to become unfit for human food before the matter can conveniently be dealt with by any court, such person shall produce such meat to a justice of the peace, and, if authorised so to do by such justice of the peace, shall destroy such meat.

A justice of the peace to whom any meat is so produced shall, if he is of opinion that the meat ought in the circumstances to be destroyed, give to the person producing the meat a certificate in writing describing the same, and authorising such person to destroy the meat; and such certificate shall be conclusive evidence in every court of such matters of fact as are stated therein.

(4) When any person has been dealt with according to law as aforesaid, the meat seized and detained shall, if not destroyed under the last preceding sub-section, be released and delivered to the consignor at the place of detention, or, if the consignor fails to take delivery at such place, shall be sold and the proceeds, less any expenses incurred by the Ministry of Agriculture or a member of the Royal Ulster Constabulary in connection with such seizure, detention or sale, shall be paid to the consignor:

Provided that where an offence in connection with meat seized and detained as aforesaid has been proved to

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have been committed, the meat shall be disposed of or dealt with in such manner as the Ministry of Agriculture or an inspector may direct.

(5) Where any meat has been detained or destroyed under this section, and the Ministry of Agriculture is satisfied that the person detaining or destroying the same had no reasonable grounds for believing that an offence under this Act was committed in relation to such meat, and no such offence has been proved to have been committed, then the said Ministry may pay such compensation to the consignor, for loss or damage sustained by him by reason of the detention or destruction of such meat, as the said Ministry may think just.

Provisions as to dead rabbits and dead poultry

15.—(1) The Ministry of Agriculture may make rules under this Act in regard to all or any of the following matters, that is to say:—

(*a*) The manner of packing dead rabbits and dead poultry, including the materials and packages to be used for such packing;

(*b*) The cleanliness and sterilisation of such materials and packages;

(*c*) The limit of weight of any one package of dead rabbits or dead poultry;

(*d*) The marking of such packages so as to indicate compliance with any such rules.

(2) All dead rabbits and dead poultry sent out of Northern Ireland to Great Britain, the Irish Free State or the Isle of Man shall be packed and marked in accordance with rules made under this section:

Provided that no such rule as to the marking of packages or crates shall be made so as to interfere with the lawful use by any person of a particular mark or brand for the purposes of his trade or business.

(3) Every person who sends, or attempts to send, out of Northern Ireland to Great Britain, the Irish Free State or the Isle of Man any dead rabbits or dead poultry which do not comply with the rules made under this section shall be guilty of an offence under this Act.

(4) If any rule is made as to the marking of packages under paragraph (*d*) of sub-section (1) of this section, then any carrier who accepts or carries any dead rabbits or dead poultry to which such rule applies, which

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are being or intended to be sent out of Northern Ireland to Great Britain, the Irish Free State or the Isle of Man in contravention of this section, shall be guilty of an offence under this Act.

Power of Ministry of Agriculture to make rules.

16.—(1) The Ministry of Agriculture may make rules prescribing anything which is to be prescribed, and providing for any matter in regard to which rules may be made, under this Act, and generally for carrying this Act into effect; and such rules may prescribe different provisions with respect to different classes of meat, dead rabbits, or dead poultry.

(2) All rules made by the Ministry of Agriculture under this Act shall forthwith be laid before both Houses of Parliament if Parliament be then sitting, and, if not, forthwith after the then next meeting of Parliament. If either House, within the statutory period after any rule made by the said Ministry under this Act is laid before such House, resolves that the rule ought to be annulled, the rule shall, after the date of the resolution, be of no effect, without prejudice to the validity of anything done in the meantime thereunder or to the making of any new rule.

For the purpose of this sub-section the expression "statutory period" means a period comprising five days at least on which the House in question has sat, but not being in any case shorter in duration than ten days, and days comprised in more than one session of Parliament may be reckoned for that purpose.

Offences, prosecutions, and application of sums.

17.—(1) Any person guilty of an offence under this Act for which no special penalty is provided shall be liable on conviction—

(*a*) in the case of a first offence to a fine of five pounds or any greater sum not exceeding ten pounds,

(*b*) in the case of a second offence to a fine of ten pounds or any greater sum not exceeding twenty pounds,

(*c*) in the case of a subsequent offence, to a fine of twenty pounds or any greater sum not exceeding fifty pounds, or, if in the opinion of the court the offence was committed by the

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personal act, default or negligence of the person accused, and the court is of opinion that a fine will not meet the circumstances of the case, to imprisonment for a term not exceeding three months.

(2) Any person who obstructs or impedes an authorised officer, or member of the Royal Ulster Constabulary, in the exercise of any of his powers under this Act shall be liable on conviction to a fine not exceeding twenty pounds.

(3) Any person who—

(*a*) in connection with an application for the issue of a licence or permit under this Act makes any statement or furnishes any information which to his knowledge is in any material respect false or misleading; or

(*b*) forges or fraudulently alters or uses, or permits to be fraudulently altered or used, any licence, permit or other document issued, or mark or indication prescribed, under this Act;

shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

(4) All offences under this Act shall be prosecuted, and all fines thereunder shall be recovered, in manner provided by the Summary Jurisdiction (Ireland) Acts; and a person aggrieved by a conviction or order made by a court of summary jurisdiction on determining any information or complaint under this Act may appeal in manner provided by the said Summary Jurisdiction Acts.

(5) A prosecution for an offence under this Act shall not be instituted except by or with the consent of the Ministry of Agriculture:

Provided that such consent shall not be necessary where proceedings are required to be taken under the provisions of this Act with respect to seizure and detention of consignments.

(6) All fines recoverable under this Act by the Ministry of Agriculture or an authorised officer or a member of the Royal Ulster Constabulary shall, notwithstanding anything in any enactment, be paid to the said

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Ministry, and the amount so recovered and all other sums received under this Act by the said Ministry shall be paid to the Exchequer of Northern Ireland, except so far as they may be appropriated in aid of the moneys provided by Parliament for defraying the expenses of carrying this Act into effect.

Provisions as to appeals.

18.—(1) Any person aggrieved by a decision of the Ministry of Agriculture—

(*a*) refusing to register any premises under this Act; or

(*b*) cancelling the registration of any premises under this Act,

may appeal to the county court having jurisdiction where the premises concerned are situate, and the decision of that court shall be final and conclusive.

(2) Rules of court regulating the procedure and costs of an appeal to the county court under this section may be made by the authority having powers to make rules and orders for regulating the practice of the civil bill courts.

Savings.

19.—(1) The provisions of this Act shall not apply to—

(*a*) meat as respects which the Ministry of Agriculture or an authorised officer is satisfied that it is not the produce of Northern Ireland, and which is not unpacked in Northern Ireland before being sent out of Northern Ireland, but so that the package bears no mark or other indication calculated to lead to the belief that the meat is Northern Ireland produce;

(*b*) meat consigned to the Irish Free State, except—

(i) to such extent as is necessary to enable the said provisions to be enforced in cases where the Ministry of Agriculture or an authorised officer is satisfied that the consignment or portion of the consignment is ultimately intended for shipment to Great Britain or the Isle of Man; and

(ii) to such further extent as may be prescribed;

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(c) small consignments of meat not exceeding such weight as the Ministry of Agriculture may prescribe for particular classes of meat.

This sub-section shall apply to dead rabbits and dead poultry in like manner as it applies to meat.

(2) The powers conferred on the Ministry of Agriculture by this Act shall be, and be exercised, without prejudice to the exercise by the Ministry of Home Affairs of the powers conferred on that Ministry by the Public Health (Regulations as to Food) Act, 1907, and to the exercise by town commissioners and their officers of their statutory powers in relation to slaughter-houses and the licensing thereof, and to the exercise by sanitary authorities and their officers of the powers in relation to slaughter-houses and the licensing thereof, or in relation to articles intended for the food of man, conferred on them by the Public Health (Ireland) Acts, 1878 to 1918, or by any local Act.

7 Edw. 7, c. 32.

(3) Nothing in this Act shall authorise the erection, use or occupation of any premises as a slaughter-house without the licence of the town commissioners or sanitary authority, where such licence is required by any general or local enactment.

(4) Section fifty of the Towns Improvement (Ireland) Act, 1854, shall not apply with respect to registered premises.

17 & 18 Vict., c. 103.

Interpretation.

20.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Animals" means cattle, pigs, sheep, goats and horses:

"Meat" means the carcase or part of a carcase or offals of an animal:

"Offals" means all entrails, fat and parts of an animal, other than the dressed carcase, which are capable of use for food for human consumption:

"Rabbits" includes hares:

"Poultry" means domestic fowls, turkeys, geese and ducks:

"Package" includes any wrapper, case, container, cask or other receptacle:

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"Carrier" means any company, body or person carrying goods for hire or reward:

"Authorised" and "recognised" mean, respectively, authorised and recognised by the Ministry of Agriculture:

"Prescribed" means prescribed by rules made under this Act:

"Inspector" means an inspector appointed or recognised by the Ministry of Agriculture:

"Sanitary authority" means a sanitary authority for the purposes of the Public Health (Ireland) Acts, 1878 to 1918.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall be construed as references to those enactments as they apply in Northern Ireland.

Short title and commencement.

21.—(1) This Act may be cited as the Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930.

(2) This Act shall come into operation on the appointed day, and the appointed day for the purposes of this Act shall be such day as the Governor of Northern Ireland may by Order in Council appoint either generally or with reference to any particular provision of this Act, and different days may be appointed for different purposes and for different provisions of this Act.

CHAPTER 24.

An Act to make further provision for the regulation of motor vehicles and traffic on roads; to provide for the protection of third parties against risks arising out of the use of motor vehicles and in connection with such provision to amend the Assurance Companies Act, 1909; and for other purposes connected with the matters aforesaid.

[25th November, 1930.]

BE it enacted by the King's most Excellent Majesty, and the Senate and the House of Commons of Northern Ireland in this present Parliament assembled, and by the authority of the same, as follows:—

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PART I.

PROVISIONS AS TO MOTOR CARS AND ROAD TRAFFIC.

Provisions as to drivers' licences granted in Great Britain.

1.—(1) If the Minister of Home Affairs certifies that satisfactory provision is made by the law of Great Britain for the granting of licences to drive motor cars, it shall be lawful for the holder of such a licence to drive and be employed in driving in Northern Ireland a motor car of any class or description which he is authorised by that licence to drive, and which he is not disqualified for driving under the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 and 1929, or this Act, notwithstanding that he is not the holder of a licence under section three of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland), 1926 (in this Act referred to as "the principal Act"):

16&17 Geo.5, c. 31.

Provided that any such driver shall be under the like obligation to produce such a licence as if it had been a licence granted under section three of the principal Act, and the provisions of sections three and four of the principal Act as to the production of licences granted under the said section three shall apply accordingly.

(2) The holder of any such licence, who by a conviction or order of any court is disqualified for holding or obtaining a driver's licence under section three of the principal Act, shall produce the licence so held by him to the court within such time as the court may determine, and the court shall on production of the licence forward it to the Ministry of Home Affairs.

If the holder fails to produce the licence within such time as aforesaid he shall be guilty of an offence under the principal Act, and shall be liable, on summary conviction, in the case of the first offence to a fine not exceeding twenty pounds, and in the case of a second or subsequent offence to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.

(3) If the holder of any such licence is convicted of an offence under the principal Act, or of any offence in connection with the driving of a motor car punishable (whether on indictment or summarily) otherwise than under the principal Act, and, had such person been the holder of a licence under section three of the principal Act, the court would have ordered particulars of the conviction to be endorsed on the licence, then the court

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instead of making such an order shall send to the Ministry of Home Affairs particulars of the conviction.

(4) Nothing in this section shall authorise—

(*a*) a person resident in any part of Ireland to drive or be employed in driving a motor car in Northern Ireland unless he holds such licence as is required by section three of the principal Act; or

(*b*) any person to drive or be employed in driving a public service vehicle in Northern Ireland unless he holds such licence as is required by sub-section (1) of section twelve of the principal Act.

Conveyance of mails by public service vehicles.

2.—(1) The owner of any public service vehicle to which this section applies shall convey by any such public service vehicle all such mail bags as may be tendered by the Postmaster-General for conveyance by such public service vehicle, and the officers of the Post Office (if any) in charge of such mail bags, and shall receive and deliver such mail bags from or to any Post Office or officer of the Post Office on the route of such public service vehicle:

Provided that—

(i) the owner shall not be bound to carry any mail bags in or upon a public service vehicle except such as can be carried without interfering with the conveyance of passengers by the vehicle or causing inconvenience to the passengers conveyed;

(ii) the owner shall not be bound to cause special runs to be made by any public service vehicle for the conveyance of mail bags.

(2) The remuneration for any service performed in pursuance of this section shall be such amount, not exceeding the charges payable for the conveyance of parcels and passengers, respectively, as shall be agreed upon between the Postmaster-General and the owner, or, in default of agreement, determined by the Tribunal established by section seven of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1929; and any matter of difference arising under the proviso to sub-section (1) of this section shall also be determined by the said Tribunal. The said Tribunal shall, for the purpose

20 Geo. 5, c. 21.

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of determining any matter under this sub-section, have the same powers as they have in the case of a matter within their jurisdiction under section seven of the said Act.

(3) For the purposes of this section the expression "public service vehicle" means a public service vehicle provided, worked, used or run on a regular or periodical service subject to conditions imposed by the Ministry of Home Affairs under section eleven of the principal Act as to the route or routes which may or may not be used, the arrangement of the services, or the time tables to be observed, and the expression "mail bag" has the same meaning as in the Post Office Act, 1908.

8 Edw. 7, c. 48.

(4) Nothing in this section shall be construed as affecting any provision in any local Act with respect to the conveyance of mails by public service vehicles:

Provided that in the Conveyance of Mails Act, 1893, as applied by any such provision, the Tribunal mentioned in sub-section (2) of this section shall be substituted for the Railway and Canal Commission as the authority to determine differences in respect of remuneration.

56 & 57 Vict. c. 38.

Expenditure by local authorities on traffic signals.

3.—(1) A local authority may, subject to the approval of the Ministry of Home Affairs, incur expenditure in the provision and maintenance of signals for the control of traffic on public highways.

(2) The Ministry of Home Affairs shall have power to make advances out of the Road Fund (Northern Ireland) to a local authority towards the cost of providing and maintaining signals as aforesaid, and accordingly the expression "improvement of roads" in sub-section (5) of section eight of the Development and Road Improvement Funds Act, 1909, shall be construed as including the provision and maintenance of such signals.

9 Edw. 7, c. 47.

Taking motor car without owner's consent or other authority to be an offence.

4.—(1) Every person who takes and drives away any motor car without having either the consent of the owner thereof or other lawful authority shall be guilty of an offence, and shall be liable—

(*a*) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds;

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(*b*) on conviction on indictment, to imprisonment for a term not exceeding twelve months or to a fine not exceeding one hundred pounds, or to both such imprisonment and fine;

Provided that if on summary proceedings under this section, the court, or on proceedings under this section on indictment the jury, are satisfied that the accused acted in the reasonable belief that he had lawful authority, or in the reasonable belief that the owner would, in the circumstances of the case, have given his consent if he had been asked therefor, the accused shall not be liable to be convicted of the offence.

(2) If on the trial of any indictment for stealing a motor car the jury are of opinion that the accused was not guilty of stealing the motor car, but was guilty of an offence under this section, the jury may find him guilty of an offence under this section, and thereupon he shall be liable to be punished accordingly.

(3) Any police constable may arrest without a warrant any person reasonably suspected by him of having committed or of attempting to commit an offence under this section.

(4) The provisions of sub-section (2), (3) and (4) of section twenty-one of the principal Act, and section four of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1929, shall apply to any summary proceedings and to any conviction by, or order of, a court of summary jurisdiction under this section.

Restriction on pillion riding.

5.—(1) It shall not be lawful for more than one person in addition to the driver to be carried on any two-wheeled motor cycle, nor shall it be lawful for any such one person to be so carried otherwise than sitting on a proper seat securely fixed to the cycle behind the driver's seat.

(2) If any person is carried on any such cycle in contravention of the provisions of this section, the driver of the cycle shall be liable on summary conviction in the case of a first offence to a fine not exceeding five pounds, and in the case of a second or subsequent offence to a fine not exceeding ten pounds.

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PART II.

PROVISION AGAINST THIRD-PARTY RISKS ARISING OUT OF THE USE OF MOTOR CARS.

Users of motor cars to be insured against third-party risks.

6.—(1) Subject to the provisions of this Part of this Act, it shall not be lawful for any person to use, or to cause or permit any other person to use, a motor car on a public highway unless there is in force in relation to the user of the motor car by that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third-party risks as complies with the requirements of this Part of this Act.

(2) If a person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment, and a person convicted of an offence under this section shall (unless the court for special reasons thinks fit to order otherwise and without prejudice to the power of the court to order a longer period of disqualification) be disqualified for holding or obtaining a licence under section three of the principal Act for a period of twelve months from the date of the conviction.

A person disqualified by virtue of a conviction under this section or of an order made thereunder for holding or obtaining a licence shall, for the purposes of Part I. of the principal Act, be deemed to be disqualified under the provisions of section four of that Act.

(3) Notwithstanding any enactment prescribing a time within which proceedings may be brought before a court of summary jurisdiction, proceedings for an offence under this section may be brought—

(*a*) within a period of six months from the date of the commission of the alleged offence; or

(*b*) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence,

whichever period is the longer.

(4) This section shall not apply to a motor car owned by—

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(*a*) the council of a county or county borough, the Belfast Harbour Commissioners or the Belfast City and District Water Commissioners; or

(*b*) a person who has deposited and keeps deposited with the Accountant-General of the Supreme Court of Northern Ireland, for and on behalf of the said Supreme Court, the sum of fifteen thousand pounds,

at any time when the motor car is being driven by the owner or by a servant of the owner in the course of his employment, or is otherwise subject to the control of the owner.

(5) This Part of this Act shall not extend to—

(*a*) invalid carriages; that is to say, motor cars, the weight of which unladen does not exceed five hundredweight, and which are specially designed and constructed, and not merely adapted, for the use of persons suffering from some physical defect or disability and are used solely by such persons; or

(*b*) tramcars or trolley vehicles, the use of which is authorised or regulated by special Act of Parliament or by an order having the force of an Act, unless the special Act or order so provides.

Requirements in respect of policies.

7.—(1) In order to comply with the requirements of this Part of this Act, a policy of insurance must be a policy which—

(*a*) is issued by a person who is an authorised insurer within the meaning of this Part of this Act; and

(*b*) insures such person, persons or classes of persons as may be specified in the policy in respect of any liability which may be incurred by him or them in respect of the death of or bodily injury to any person caused by or arising out of the use of the motor car on a public highway:

Provided that such a policy shall not be required to cover—

(i) liability in respect of the death, arising out of and in the course of his employment, of a person in the employment of a person insured

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by the policy, or in respect of bodily injury sustained by such a person arising out of and in the course of his employment; or

(ii) except in the case of a motor car in which passengers are carried for hire or reward or by reason of or in pursuance of a contract of employment, liability in respect of the death of or bodily injury to persons being carried in or upon, or entering or getting on to or alighting from, the motor car at the time of the occurrence of the event out of which the claims arise; or

(iii) any contractual liability.

(2) For the purposes of this Part of this Act, the expression "authorised insurer" means an assurance company or an underwriter in whose case the requirements of the Assurance Companies Act, 1909, as amended by this Part of this Act, with respect to deposits by assurance companies and deposits and guarantees by underwriters are complied with.

9 Edw. 7, c. 49.

(3) Notwithstanding anything in any enactment, a person issuing a policy of insurance under this section shall be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of those persons or classes of persons.

(4) A policy shall be of no effect for the purposes of this Part of this Act unless and until there is delivered by the insurer to the person by whom the policy is effected a certificate (in this Part of this Act referred to as "a certificate of insurance") in the prescribed form and containing such particulars of any conditions subject to which the policy is issued and of any other matters as may be prescribed, and different forms and different particulars may be prescribed in relation to different cases or circumstances.

(5) In this Part of this Act the expression "policy of insurance" includes a covering note.

Requirements in respect of securities.

8.—(1) In order to comply with the requirements of this Part of this Act a security must—

(*a*) be given either by an authorised insurer or by some body of persons which carries on in the United Kingdom the business of giving

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securities of a like kind and which has deposited and keeps deposited with the Accountant-General of the Supreme Court of Northern Ireland, for and on behalf of the said Supreme Court, the sum of fifteen thousand pounds in respect of that business, or has deposited and keeps deposited a sum of the same amount in respect of that business in accordance with the provisions of section thirty-seven of the Road Traffic Act, 1930 (passed by the Parliament of the United Kingdom) : and

20 & 21 Geo. 5. c. 43.

(*b*) consist of an undertaking by the giver of the security to make good, subject to any conditions specified therein, and up to the amount, in the case of an undertaking relating to the use of public service vehicles, of not less than twenty-five thousands pounds, and, in any other case, of not less than five thousand pounds, any failure by the owner of the motor car or such other persons or classes of persons as may be specified in the security duly to discharge any such liability as is required to be covered by a policy of insurance under the last preceding section which may be incurred by him or them.

(2) A security shall be of no effect for the purposes of this Part of this Act unless and until there is issued by the person giving the security to the person to whom it is given a certificate (in this Part of this Act referred to as a "certificate of security") in the prescribed form and containing such particulars of any conditions subject to which the security is issued and of any other matters as may be prescribed, and different forms and different particulars may be prescribed in relation to different cases or circumstances.

Certain conditions as to policies or securities to be of no effect.

9. Any condition in a policy or security issued or given for the purposes of this Part of this Act, providing that no liability shall arise under the policy or security, or that any liability so arising shall cease, in the event of some specified thing being done or omitted to be done after the happening of the event giving rise to a claim under the policy or security, shall be of no effect in connection with such claims as are mentioned in paragraph (*b*) of sub-section (1) of section seven of this Act :

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Provided that nothing in this section shall be taken to render void any provision in a policy or security requiring the person insured or secured to repay to the insurer or the giver of the security any sums which the latter may have become liable to pay under the policy or security and which have been applied to the satisfaction of the claims of third parties.

Production of certificate of insurance or certificate of security on application for exciselicence 10 & 11 Geo. 5, c. 72. 10 & 11 Geo. 5, c. 18.

10. Provision may be made by regulations under section twelve of the Roads Act, 1920, for requiring a person applying for a licence in respect of a motor car under section thirteen of the Finance Act, 1920, as amended by subsequent enactments, to produce such evidence as may be prescribed that either—

(*a*) on the date when the licence comes into operation there will be in force the necessary policy of insurance or the necessary security in relation to the user of the motor car by the applicant or by other persons on his order or with his permission; or

(*b*) the motor car is a motor car to which the first section contained in this Part of this Act does not apply at any time when it is being driven by the owner thereof, or by a servant of the owner in the course of his employment, or is otherwise subject to the control of the owner;

and a person offending against the regulations shall be deemed to be a person offending against the provisions of the Roads Act, 1920.

Requirements as to production of certificate of insurance or of security.

11.—(1) Any person driving a motor car on a public highway shall, on being so required by a police constable, give his name and address and the name and address of the owner of the motor car and produce his certificate, and if he fails to do so he shall be guilty of an offence under the principal Act:

Provided that, if the driver of a motor car within five days after the date on which the production of his certificate was so required produces the certificate in person at such police station as may have been specified by him at the time when its production was required, he shall not be convicted of an offence under this subsection by reason only of failure to produce his certificate to the constable.

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(2) If, in any case where, owing to the presence of a motor car on a public highway, an accident occurs involving personal injury to another person, the driver of the motor car does not at the time give his name and address and the name and address of the owner of the motor car and produce his certificate to a police constable or to some person who, having reasonable grounds for so doing, has so required, the driver shall as soon as possible, and in any case within twenty-four hours of the occurrence of the accident, report the accident at a police station or to a police constable and thereupon give his name and address and the name and address of the owner of the motor car and produce his certificate, and if he fails to do so he shall be guilty of an offence under the principal Act:

Provided that a person shall not be convicted of an offence under this sub-section by reason only of failure to produce his certificate if, within five days after the occurrence of the accident, he produces the certificate in person at such police station as may have been specified by him at the time when the accident was reported.

(3) It shall be the duty of the owner of a motor car to give such information as he may be required by or on behalf of a district inspector of the Royal Ulster Constabulary to give for the purpose of determining whether the motor car was or was not being driven in contravention of section six of this Act on any occasion when the driver was required under this section to produce his certificate, and if the owner fails to do so he shall be guilty of an offence under the principal Act.

(4) A person guilty of any offence mentioned in this section shall be liable, on summary conviction, in the case of the first offence to a fine not exceeding twenty pounds, and in the case of a second or subsequent offence to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months.

(5) In this section the expression "produce his certificate" means produce for examination the relevant certificate of insurance or certificate of security or such other evidence that the motor car is not or was not being driven in contravention of section six of this Act as may be prescribed.

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Liability of insurers, etc., for expenses of hospital treatment.

12.—(1) Where any payment is made by an authorised insurer under a policy issued under this Part of this Act, or by the owner of a motor car, in relation to the user of which a security under this Part of this Act is in force, or who has made a deposit under this Act, in respect of the death of or bodily injury to any person arising out of the use of a motor car on a public highway, and the person who has so died or been bodily injured has to the knowledge of the authorised insurer or such owner received treatment in a hospital in respect of the fatal or other bodily injury so arising, there shall also be paid by the authorised insurer or such owner to such hospital the expenses reasonably incurred by the hospital in affording such treatment to an amount not exceeding twenty-five pounds for each person so treated:

Provided that this section shall not apply in any case where a charge has been made by the hospital in respect of such treatment.

(2) For the purposes of this section the expression "hospital" means an institution which provides medical or surgical treatment for in-patients, and the expression "expenses reasonably incurred" means, in relation to a person who receives treatment in a hospital, an amount for each day such person is maintained in such hospital representing the average daily cost per patient of the maintenance of the hospital and the staff thereof and the maintenance and treatment of the patients therein.

Regulations for purposes of Part II. of Act.

13.—(1) The Ministry of Home Affairs may make regulations for prescribing anything which may be prescribed under this Part of this Act, and generally for the purpose of carrying this Part of this Act into effect, and in particular, but without prejudice to the generality of the foregoing provisions, may make regulations—

(*a*) as to the forms to be used for the purposes of this Part of this Act;

(*b*) as to applications for and the issue of certificates of insurance and certificates of security and any other documents which may be prescribed, and as to the keeping of records of documents and the furnishing of particulars thereof or the giving of information with respect thereto to the said Ministry or a district inspector of the Royal Ulster Constabulary;

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(*c*) as to the issue of copies of any such certificates or other documents which are lost or destroyed;

(*d*) as to the custody, production, cancellation and surrender of any such certificates or other documents;

(*e*) for providing that any provisions of this Part of this Act shall, in relation to vehicles brought into Northern Ireland by a person making only a temporary stay therein, have effect subject to such modifications and adaptations as may be prescribed.

(2) The provisions of sub-section (1), (2), (3) and (5) of section twenty-three of the principal Act shall apply to regulations made under this section.

(3) If an address is presented to the Governor of Northern Ireland by either House of Parliament within the statutory period after any regulation under this section is laid before such House, praying that the regulation may be annulled, the said Governor may by Order in Council annul the regulation, but without prejudice to the validity of anything previously done thereunder.

For the purpose of this sub-section the expression "statutory period" means a period comprising five days at least on which the House in question has sat, but not being in any case shorter in duration than ten days, and days comprised in more than one session of Parliament may be reckoned for that purpose.

Amendment of Assurance Companies Acts.

14.—(1) Section one of the Assurance Companies Act, 1909, shall have effect as if after paragraph (*e*) thereof there were added the following paragraph:—

"(*f*) Motor car insurance business; that is to say, the business of effecting contracts of insurance against loss of, or damage to or arising out of or in connection with the use of, motor cars, including third-party risks."

(2) Where an assurance company within the meaning of the Assurance Companies Acts (Northern Ireland), 1909 and 1924, carries on motor car insurance business in Northern Ireland, the said Acts shall apply with respect to that business in the same way as they apply to accident insurance business, subject to the following modifications:—

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(*a*) If the company does not also carry on assurance business of some other class, the reference in sub-section (1) of section two of the Assurance Companies Act, 1909, to the sum of twenty thousand pounds shall be construed as a reference to the sum of fifteen thousand pounds;

(*b*) If the company also carries on assurance business of some other class, the reference in sub-section (4) of the said section two to a sum of twenty thousand pounds shall, as respects the motor car insurance business, be construed as a reference to a sum of fifteen thousand pounds, and notwithstanding anything in the Assurance Companies Act, 1909, relieving a company from making a deposit in respect of any class of insurance business where it has made a deposit in respect of any other class of assurance business, the total sum to be deposited under the said sub-section (4) shall in no case be less than thirty-five thousand pounds;

(*c*) Sections five and six and paragraphs (*a*), (*b*) and (*c*) of section thirty-two of the Assurance Companies Act, 1909, shall not apply.

Deposits under Part II of Act.

15.—(1) No part of any sum deposited by any person with the Accountant-General of the Supreme Court of Northern Ireland under section six or section eight of this Act shall, so long as any liabilities, being such liabilities as are required to be covered by a policy of insurance under this Part of this Act, which have been incurred by such person have not been discharged or otherwise provided for, be applicable in discharge of any other liabilities incurred by him.

40 & 41 Vict, c. 57.

60 & 61 Vict, c. 17.

(2) Rules of court may be made under section sixty-one of the Supreme Court of Judicature Act (Ireland), 1877, as amended by the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, with respect to deposits made with the Accountant-General of the Supreme Court of Northern Ireland under sections six and eight of this Act.

Application of Part II. of Act to public service vehicles.

16. The following paragraph shall be substituted for paragraph (*c*) in the proviso to sub-section (1) of section eleven of the principal Act:—

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"(*c*) no such licence shall be issued unless the applicant—

(i) satisfies the Ministry of Home Affairs that on the date when the licence comes into operation there will be in force, in relation to the user upon public highways of the public service vehicle for which the licence is sought, such a policy of insurance or such a security in respect of third-party risks as complies with the requirements of Part II. of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1930; and

(ii) shows to the reasonable satisfaction of the Ministry of Home Affairs that he will be in a position to satisfy all lawful claims which may be made against him in respect of damage to property caused by the use upon public highways of the said public service vehicle."

Penalties for false statements, forgery, etc.

17.—(1) Section twenty-two of the principal Act (which prescribes penalties for false statements and forgery, or fraudulent use of certain documents) shall have effect subject to the following amendments:—

(*a*) In sub-section (1), after the word "misleading" where it occurs secondly, there shall be inserted the words: "or if any person, for the purpose of obtaining the issue of a certificate of insurance or of a certificate of security under Part II. of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1930, makes any false statement or withholds any material information, or issues a certificate of insurance or certificate of security under the said Part II. which is to his knowledge false in any material particular";

(*b*) In sub-section (3), after the words "under this Act," there shall be inserted the words "or any certificate of insurance or certificate of security under Part II. of the Motor Vehicles and Road Traffic Act (Northern Ireland), 1930."

(2) If any police constable has reasonable cause to believe that any certificate of insurance or certificate of

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security produced to him in pursuance of the provisions of this Part of this Act by the driver of a motor car is a document in relation to which an offence under section twenty-two of the principal Act, as amended by this section, has been committed, he may seize the document, and when any document is seized under this section the person from whom it was taken shall, unless the document has been previously returned to him or he has previously been charged with such an offence as aforesaid, be summoned before a court of summary jurisdiction to account for his possession of the said document, and the court shall make such order respecting the disposal of the said document and award such costs as the justice of the case may require.

(3) In this section, and in the enactments thereby amended, the expressions "certificate of insurance" and "certificate of security" include any document issued under regulations made by the Ministry of Home Affairs in pursuance of its powers under this Part of this Act to prescribe evidence which may be produced in lieu of a certificate of insurance or a certificate of security.

PART III.

GENERAL.

Definition of "local authority" for certain purposes.

18. In the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 and 1929, the Roads Improvement Act (Northern Ireland), 1928, and this Act, the expression "local authority" includes the council of a borough not being a county borough.

Exemption of Crown from Part II. of Act.

19. Part II. of this Act shall not apply to the Crown.

Interpretation.

20.—(1) In this Act the expression "public highway" includes a roadway to which the provisions of the principal Act apply.

(2) References in this Act to enactments of the Parliament of the United Kingdom shall, unless the context otherwise requires, be construed as references to those enactments as they apply in Northern Ireland.

Commencement of Act.

21. This Act shall come into operation on such day or days as may be appointed by the Minister of Home

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Affairs, and that Minister may appoint different days for different purposes and for different provisions of this Act.

Short title and construction.

22. This Act may be cited as the Motor Vehicles and Road Traffic Act (Northern Ireland), 1930, and shall be construed as one with the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 and 1929; and those Acts and this Act may be cited together as the Motor Vehicles and Road Traffic Acts (Northern Ireland), 1926 to 1930.

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TABLE II

SHOWING THE EFFECT OF THE YEAR'S LEGISLATION.

PART I.

ACTS OF PARLIAMENT OF THE UNITED KINGDOM (IN CHRONOLOGICAL ORDER) REPEALED AMENDED OR OTHERWISE AFFECTED BY ACTS OF THE PARLIAMENT OF NORTHERN IRELAND PASSED IN THE SESSION 20 & 21 GEO. 5.

Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
6 & 7 Wm. 4, c. 116.	Grand Jury (Ireland) Act, 1836.	ss. 50, 55 am.	2, s. 1.
10 & 11 Vict., c. 34.	Towns Improvement Clauses Act, 1847.	s. 131 saved.	23, s. 9 (4).
13 & 14 Vict., c. 69.	Representation of the People (Ireland) Act, 1850.	ss. 90-96 rep.	6, s. 8 (3) and Sch.
17 & 18 Vict., c. 103.	Towns Improvement (Ireland) Act, 1854.	s. 50 excl.	23, s. 19 (4).
22 Vict., c. 14.	Manor Courts Abolition (Ireland) Act, 1859.	s. 5 excl.	14, s. 29.

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
32 & 33 Vict., c. 42.	Irish Church Act, 1869.	s. 34, para. (2) excl.	22, s. 2 (2).
c. 79.	Local Officers Superannuation Act (Ireland), 1869.	Act app.	14, s. 28 (1) (*a*).
33 & 34 Vict., c. 26.	Poisons (Ireland) Act, 1870.	s. 2 am.	13, s. 8.
35 & 36 Vict., c. 33.	Ballot Act, 1872.	s. 24 (so far as unrepealed) rep. Rule 50 of Part I of 1st Sch. (in part) rep.	6, s. 8 (3) and Sch. 6, ss. 6, 8 (3) and Sch.
c. 90.	Irish Church Act (1869) Amendment Act, 1872.	s. 7 am. s. 7 app.	4, s. 3. 22, s. 2 (1).
40 & 41 Vict., c. 2.	Treasury Bills Act, 1877.	s. 6 excl.	1, s. 3 (2). 7, s. 2 (2). 20, s. 2 (2).
41 & 42 Vict., c. 49.	Weights and Measures Act, 1878.	s. 37 (in part) rep.	16, s. 6. and Sch.
c. 52.	Public Health (Ireland) Act, 1878.	ss. 132-135 (as amended) saved.	23, s. 9 (4).
42 & 43 Vict., c. 49.	Summary Jurisdiction Act, 1879.	s. 35 app. with mod.	14, s. 29.
45 & 46 Vict., c. 50.	Municipal Corporations Act, 1882.	s. 92 (2) am.	6, s. 7.

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
48 & 49 Vict., c. 69.	Criminal Law Amendment Act, 1885.	s. 5 proviso am.	3, s. 1.
c. 78.	Educational Endowments (Ireland) Act, 1885.	s. 17 am.	14, s. 30.
51 & 52 Vict., c. 25.	Railway and Canal Traffic Act, 1888.	s. 45 am. s. 45 (2) (*d*) rep.	10, s. 1. 10, s. 1 (*d*).
52 & 53 Vict., c. 21.	Weights and Measures Act, 1889.	s. 8 app. and (in part) rep. ss. 9, 35 extd. ss. 78, 79 am.	16, ss. 3 (1), 6 and Sch. 16, ss. 1 (1), 3 (3). 16, s. 4 (1).
58 & 59 Vict., c. 16.	Finance Act, 1895.	s. 16 rep. (prosp.).	12, s. 108 and Sch. 4.
22nd Dec., 1898.	Order of the Lord Lieutenant in Council, entitled "the Local Government (Application of Enactments) Order, 1898."	Art. 5 of Sch. (in part) rep.	6, s. 8 (3) and Sch.
61 & 62 Vict., c. 37.	Local Government (Ireland) Act, 1898.	s. 83 (11) app.	14, s. 28 (1) (*b*).

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
63 & 64 Vict., c. 58.	Tithe Rent-charge (Ireland) Act, 1900.	s. 3 am. s. 4 rep.	22, ss. 1, 3. 22, s. 2 (1).
8 Edw. 7, c. 59.	Prevention of Crime Act, 1908.	s. 18, para. (*b*) app.	3, s. 2.
c. 69.	Companies (Consolidation) Act, 1908.	s. 45 rep. s. 102 am. and extd.	12, s. 54 (4). 12, s. 54 (1) (3).
		ss. 18, 25, 26, 30, 32, 41, 44, 46 (1), 47, 52, 61-65, 71, 73, 83, 86, 88, 90, 91, 93, 96, 100-102, 110, 112, 121, 142, 144, 150, 163, 172, 174, 186, 192, 194, 195, 197, 202, 209, 210, 212, 215, 222, 223, 242, 243 (6), 267, 275, 279, 285, First Sch., and Fifth Sch.; amended (prosp.).	12, ss. 4, 6, 5 (3), 9, 13, 18, 19, 45 (1) (3), 48, 51, 91, 59, 62, 66, 67, 68, 78, 68 (8), 93, 95, 79 (2), 104 and 3rd Sch.
		ss. 42, 48, 54, 66-70, 72, 75, 85, 87, 89, 92, 95, 109, 113, 143, 151, 185 and 214; new sections substit. (prosp.).	12, ss. 12, 17 (1), 20-24, 27, 29, 32, 33, 36, 44, 46, 50, 39, 58, 65, 69, 104 and 3rd Sch.
		ss. 10 (3) in part, 20 (3) in part, 37 (6) in part, 40, 41 (3), 44 (1) in part, 45, 56, 63 in part, 69 (3) in part, 70 (4) in part, 81, 82, 84 (2), 99 (2), 104, 107 (1) in part, 109 (7), 114, 121 (2), 186 in part, 188, 190, 192 in part, 198, 199 in part, 203 (1), 215 (4), 217, 274, Second Sch., and Fifth Sch. in part, repealed (prosp.).	12, s. 108 and 4th Sch.

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
9 Edw. 7, c. 47.	Development and Road Improvement Funds Act, 1909.	s. 8 (5) extd.	24, s. 3 (2).
c. 49.	Assurance Companies Act, 1909.	s. 1, new para. (*f*) added s. 2 (1) (4) mod. ss. 5, 6, and para. (*a*), (*b*) and (*c*) of s. 32 excl.	24, s. 14 (1). 24, s. 14 (2) (*a*) (*b*). 24, s. 14 (2) (*c*).
1 & 2 Geo. 5, c. 55.	National Insurance Act, 1911.	s. 64 (1) (in part) rep.	13, s. 19 and 3rd Sch.
3 & 4 Geo. 5, c. 37.	National Insurance Act, 1913.	s. 1 (2) excl.	13, s. 16 (3).
7 & 8 Geo. 5, c. 18.	Companies (Foreign Interests) Act, 1917.	Act repealed (prosp.).	12, s. 108 (2) and 4th Sch.
c. 28.	Companies (Particulars as to Directors) Act, 1917.	ss. 1, 2 (1) and 3 (in part) rep. (prosp.).	12, s. 108 (2) and 4th Sch.
9 & 10 Geo. 5, c. 29.	Weights and Measures (Leather Measurement) Act, 1919.	Act rep.	16, s. 6 and Sch.
10 & 11 Geo. 5, c. 18.	Finance Act, 1920.	s. 13 and 2nd Sch. am., new para. added to 2nd Sch.	11, s. 1 and 1st Sch.

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
14 & 15 Geo. 5, c. 38.	National Health Insurance Act, 1924.	ss. 5 (1), 6 (1) am.	13, ss. 2 (1) (3 and 1st Sch.
		s. 12, new sec. substit.	13, s. 3.
		ss. 13 (1) 14 (2) am.	13, s. 14 (3) and 2nd Sch.
		s. 14 (4) am., and (in part) rep.	13, s. 19 and 3rd Sch.
		ss. 23, 24, new ss. substit.	13, ss. 4, 14 (3) and 2nd Sch.
		ss. 26 (in part), 48, 49, 50 rep.	13, s. 19 and 3rd Sch.
		s. 51 excl.	13, s. 6 (1).
		ss. 52, 53, new ss. substit.	13, s. 6 (2) (3).
		s. 54 (2) (*d*) (in part) rep.	13, s. 19 and 3rd Sch.
		s. 62 (3) am.	13, s. 2 (3) and 1st Sch.
		s. 62 (5) rep.	13, s. 19 and 3rd Sch.
		s. 73 (3), new para. added.	13, s. 9 (2).
		ss. 82, 84 rep.	13, s. 19 and 3rd Sch.
		ss. 83, 85, 86, 87 excl.	13, ss. 10 (4), 11 (2).
		s. 90 (2), new sub.-s. substit.	13, s. 14 (3) and 2nd Sch.
		s. 103 (2) am.	13, s. 2 (3) and 1st Sch.
		ss. 118 (1), 119-123, 126, 127 and paras. 6 and 7 of s. 129, rep.	13, s. 19 and 3rd Sch.
		4th Sch., Part I (in part), 5th Sch. (in part) and 6th Sch. rep.	13, ss. 16 (2), 19 and 3rd Sch.

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PART 2.

ACTS OF PARLIAMENT OF NORTHERN IRELAND (IN CHRONOLOGICAL ORDER) REPEALED, AMENDED OR OTHERWISE AFFECTED BY ACTS OF THAT PARLIAMENT PASSED IN THE SESSION 20 & 21 GEO. 5.

Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
12 Geo. 5, c. 2.	Exchequer and Audit Act, 1921.	s. 28 am.	4, s. 4 (1).
12 & 13 Geo. 5, c. 8.	Constabulary Act, 1922.	s. 4 (5) (*b*) rep.	18, s. 1 (1).
13 & 14 Geo. 5, c. 4.	Exchequer and Financial Provisions Act, 1923.	s. 2 (2), virt. rep. s. 2 (3) (4), rep.	17, s. 1 (2).
		s. 4 am. and in part rep.	17, s. 2 (1) (*a*), (2).
c. 8.	Criminal Law Amendment Act, 1923.	s. 2 am.	3, s. 1.
c. 21.	Education Act, 1923.	s. 3, new sec. substit.	14, s. 2.
		s. 15 (2) am.	14, s. 8.
		s. 16 am.; s. 16 (1), new sub-ss. (1A), (1B), (1C), added; s. 16 (2), new sub-s. substit.	14, s. 9.
		s. 20, new sec. substit.	14, s. 14.
		s. 21 am.	14, s. 11 (2).
		ss. 30, 32 am.	14, ss. 16, 17 (1).
		s. 34 (2), new sub-s. substit.	14, s. 18.
		s. 36 am.	14, s. 20.
		s. 46 (2), 66 (3), new sub-ss. substit.	14, ss. 3, 21.
		s. 68, new sec. substit.	14, s. 24.

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
13 & 14 Geo. 5, c. 21 —*contd.*	Education Act, 1923 —*contd.*	s. 73 (4) am. s. 80 (2) app. s. 81 extd. s. 98 extd. Part III of 4th Sch. app. 5th Sch. extd.	14, s. 26. 14, s. 2 (2). 14, s. 27. 14, s. 6. 14, s. 2 (2). 14, s. 27.
15 & 16 Geo. 5, c. 9.	Finance (Estate Duty) Act, 1925.	Sch. am.	11, s. 4 (1).
c. 23.	Widows', Orphans' and Old Age Contributory Pensions Act, 1925.	s. 14 (2) am. Part 2 of 1st Sch. am. Paras. 1, 2 and 5 of Part I of 4th Sch. rep.	13, s. 12 and 2nd Sch. 13, s. 16 (4). 13, s. 19 and 3rd Sch.
c. 30.	Finance Act, 1925.	s. 1 rep.	11, s. 1 (2).
16 & 17 Geo. 5, c. 1.	Unemployment Insurance (Agreement) Act, 1926.	s. 5 extd.	8, s. 1.
c. 11.	National Health Insurance Act, 1926.	s. 2 rep.	13, s. 19 and 3rd Sch.
16 & 17 Geo. 5, c. 27.	Exchequer and Financial Provisions Act, 1926.	s. 2 extd. s. 5 am.	14, s. 10 (4). 4, s. 4 (1).
c. 31.	Motor Vehicles (Traffic and Regulation) Act, 1926.	s. 3 am. ss. 3, 4, 21 (2) (3) (4), 23 (1) (2) (3) (5) app. s. 11 (1) (*c*), new para. (*c*) substit. s. 22 (1) (3) am.	11, s. 5 (1). 24, ss. 1 (1), 4 (4), 13 (2). 24, s. 16. 24, s. 17 (1) (*a*) (*b*).

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Statute and Chapter of Act of Parliament.	Short Title.	How affected.	Chapter, section, &c., of 20 & 21 Geo. 5.
17 & 18 Geo. 5, c. 10.	Exchequer and Financial Provisions Act, 1927.	s. 4 am.	4, s. 1.
18 & 19 Geo. 5, c. 11.	National Health Insurance Act, 1928.	s. 3 (1) rep.	13, s. 19 and 3rd Sch.
19 Geo. 5, c. 3.	Exchequer & Financial Provisions Act, 1929.	s. 2 extd. s. 2 (4) virt. rep.	4, s. 2.
20 Geo. 5, c. 2.	Finance Act, 1929.	s. 2 (1) excl.	17, s. 3.
20 Geo. 5. c. 11.	Expiring Laws Continuance Act, 1929.	In so far as this Act limits the duration of the Labourers Acts (N.I.), 1883 to 1927 (as amended) rep.	9, s. 2.
20 Geo. 5, c. 17.	Widows', Orphans' and Old Age Contributory Pensions Act, 1929.	s. 21 (2) (*a*) am.	13, s. 12 and 2nd Sch.
20 Geo. 5, c. 18.	Housing Act, 1929.	s. 2 (1) (2) (4) (5) am. s. 2 (7), proviso rep. s. 3 am.	5, s. 1 (1) (*a*) (*b*) (*c*). 5, s. 1 (2).
20 Geo. 5, c. 21.	Motor Vehicles and Road Traffic Act, 1929.	s. 4 app.	24, s. 4 (4).
20 & 21 Geo. 5, c. 4.	Exchequer and Financial Provisions Act, 1930.	s. 3 app.	22, s. 2 (1).

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16	Unemployment Insurance Act, 1930. [*See* ss. 17, 20 (4) *and* 2*nd Sch.*].
21	Children (Employment Abroad) Act, 1930. [*See* s. 2 (2).]
20 & 21 Geo. 5.	
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20 & 21 GEO. 5.

ROYAL ASSENT, 17TH JUNE, 1930.

i. An Act to empower the Mater Imfirmorum Hospital (Incorporated) in the City and County Borough of Belfast to acquire for Hospital purposes certain Lands adjacent to the Hospital and forming part of the Lands of His Majesty's Prison in the City of Belfast now vested in the Ministry of Home Affairs for Northern Ireland, and to empower the Ministry to convey such adjacent Lands for Hospital purposes to the Hospital, and for other purposes. [*Mater Infirmorum Hospital (Incorporated) Extension.*]

ii. An Act to empower the Lord Mayor, Aldermen and Citizens of the City of Belfast to provide and work trolley vehicles; to provide for the disqualification of members of the Council in certain events; to make provision for the superannuation of certain officers of the Corporation; to confer further powers upon the Corporation with reference to rating and public health; and to confer various other powers upon the Corporation in relation to the good government of the City; and for other purposes. (*Belfast Corporation.*)

ROYAL ASSENT, 25TH NOVEMBER, 1930.

iii. An Act to extend the boundaries of the Larne Urban District, to authorise the acquisition of markets, to make further provision as to collection of rates, to make further provision for the improvement and good government of the said district, and for other purposes. (*Larne Urban District Council.*)

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THE
LOCAL ACTS.

20 & 21 GEO. 5.

CHAPTER i.

A.D. 1930.

An Act to empower the Mater Infirmorum Hospital (Incorporated) in the City and County Borough of Belfast to acquire for Hospital purposes certain Lands adjacent to the Hospital and forming part of the Lands of His Majesty's Prison in the City of Belfast now vested in the Ministry of Home Affairs for Northern Ireland, and to empower the Ministry to convey such adjacent Lands for Hospital purposes to the Hospital, and for other purposes.

[17th June, 1930.]

WHEREAS it is expedient that the Mater Infirmorum Hospital (Incorporated), in the City and County Borough of Belfast (in this Act called "the Hospital") should have facilities for an extension of its lands for Hospital purposes.

And whereas it is expedient that the Hospital should for such purposes be enabled to acquire certain lands adjacent to the Hospital and forming part of the lands of His Majesty's Prison in the City and County Borough of Belfast, and to use such lands for Hospital purposes.

And whereas the lands of His Majesty's Prison in the City and County Borough of Belfast are now vested in the Ministry of Home Affairs for Northern Ireland (in this Act called "the Ministry").

And whereas it is expedient that the Ministry should be empowered to convey to the Hospital for Hospital purposes such part of the said lands for such consideration and upon such terms and conditions as may be prescribed by the Ministry.

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A.D. 1930

And whereas it is expedient that the other provisions in this Act contained should be enacted.

And whereas the objects aforesaid cannot be attained without the authority of Parliament.

And whereas a plan showing the lands which may be acquired or used under the powers of this Act and a book of reference to the said plan containing the names of the owners or reputed owners, lessees or reputed lessees and of the occupiers of and describing such lands have been deposited with the Clerk of the Crown and Peace for the County of Antrim and the County of the City of Belfast and are in this Act referred to as "the deposited plan and book of reference."

MAY IT THEREFORE PLEASE YOUR MAJESTY

That it may be enacted and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Senate and House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited as the Mater Infirmorum Hospital (Incorporated) Extension Act (Northern Ireland), 1930.

2. Notwithstanding anything in the General Prisons (Ireland) Act 1877 or in any other enactment it shall be lawful for the Hospital at any time hereafter to acquire from the Ministry that part of the lands of His Majesty's Prison in the City and County Borough of Belfast which is set out in the Schedule hereto and delineated on the deposited plan and described in the deposited book of reference, and it shall be lawful for the Ministry at any time hereafter to convey to the Hospital for Hospital purposes such part of the said lands for such consideration and upon such terms and conditions as may be prescribed by the Ministry.

3. The Ministry may do and execute any deed, act or thing necessary for effectuating such conveyance and upon the effectuating of such conveyance the fee

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simple in such part of the said lands shall vest in the Hospital freed and discharged from all rights, title or interest of any person or persons whatsoever, but subject to such terms and conditions as may be prescribed in such conveyance by the Ministry. A.D. 1930

4. The Hospital may hold, adapt and use such part of the said lands for all or any purposes of or connected with the Hospital.

5. All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto when taxed by the Taxing Officer of the Parliament of Northern Ireland shall be paid by the Hospital.

SCHEDULE.

Certain lands (forming part of the lands of His Majesty's Prison) situate on the North side of Crumlin Road in the Townlands of Townparks, Parish of Shankill, Barony of Upper Belfast and City and County Borough of Belfast containing in front to Crumlin Road aforesaid 237 feet or thereabouts in the rere the several admeasurements of 243 feet 6 inches; and 12 feet 6 inches or thereabouts, the aforesaid measurements being measured from the actual eastern boundary of the present Prison property, that is to say, 3 feet outside the eastern wall of the Prison. The depth of the rere extension shall be 44 feet 10½ inches or thereabouts and from front to rere on the west side 57 feet 1½ inches or thereabouts and on the east side 102 feet or thereabouts and bounded on the south by Crumlin Road aforesaid, on the east by other lands of the Hospital, and on the north and west by other lands of the said Prison.

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A.D. 1930.

CHAPTER ii.

An Act to empower the Lord Mayor, Aldermen and Citizens of the City of Belfast to provide and work trolley vehicles; to provide for the disqualification of members of the Council in certain events; to make provision for the superannuation of certain officers of the Corporation; to confer further powers upon the Corporation with reference to rating and public health; and to confer various other powers upon the Corporation in relation to the good government of the City; and for other purposes. [17th June, 1930.]

WHEREAS the City of Belfast (in this Act called "the City") is a county borough subject to the Acts relating to Municipal Corporations in Northern Ireland and the Lord Mayor, Aldermen and Citizens of the City (in this Act called "the Corporation") acting by the Council are the urban sanitary authority for the district thereof:

And whereas the several local Acts and Orders mentioned in the Schedule to this Act are in force within the City, which Acts and Orders are in this Act referred to collectively as "the former Acts" and each of them separately as an Act or Order of the year in which the same was passed or made:

And whereas it is expedient and will be of public and local advantage that the Corporation should be empowered to provide and work trolley vehicles:

And whereas it is expedient that members of the Council should be disqualified for holding office in certain events:

And whereas it is expedient that provision should be made in respect of the superannuation of certain officers of the Corporation:

And whereas it is expedient that there should be conferred upon the Corporation further powers with reference to the rating of certain tenements and hereditaments in the City:

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A.D. 1930.

And whereas it is expedient that there should be conferred upon the Corporation further powers in relation to Public Health:

And whereas it is expedient that the present limitation on the power of the Corporation to make a rate for the purposes of The Public Parks (Ireland) Act, 1869 should be increased to fourpence in the pound:

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to the good government and management of the City:

And whereas it is expedient that the Corporation should be empowered to raise money for the purposes of this Act as in this Act provided:

And whereas it is expedient that the other provisions in this Act contained should be enacted:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

And whereas the consent of the Board of Trade to this Act has been obtained in accordance with the provisions of sub-section (2) of section two of the Northern Ireland (Miscellaneous Provisions) Act, 1928, passed by the Parliament of the United Kingdom:

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts (Northern Ireland) 1888 and 1928 have been observed.

MAY IT THEREFORE PLEASE YOUR MAJESTY That it may be enacted and BE IT ENACTED by the King's most Excellent Majesty by and with the advice and consent of the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short and collective titles.

1. This Act may be cited as the Belfast Corporation Act (Northern Ireland) 1930, and this Act and the former Acts may be cited as the Belfast Local Acts, 1845 to 1930.

PART I.

Preliminary.

Act divided into parts.

2. This Act is divided into Parts as follows:—

Part I. —Preliminary.

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Part II. —Trolley vehicles and omnibuses.
Part III. —Disqualification.
Part IV. —Officers.
Part V. —Rating.
Part VI. —Public Health.
Part VII. —Financial.
Part VIII. —Miscellaneous.

Interpretation.

3. In this Act unless otherwise expressly provided or the context otherwise requires :—

"The City" means the City and County Borough of Belfast as constituted for the time being ;

"The Corporation" means the Lord Mayor, Aldermen and Citizens of the City ;

"The Council" means the Council of the City ;

"The Town Clerk," "the Surveyor" and "the Medical Officer" respectively mean the town clerk, the surveyor and the medical superintendent officer of health appointed by the Council in pursuance of any public Act or the former Acts and respectively include any person duly authorised to discharge temporarily the duties of the officers hereinbefore enumerated ;

"The City Fund" and "the Consolidated Rate" respectively mean the City Fund and the Consolidated Rate as established and provided for by Part II of the Act of 1925 ;

"Trolley Vehicle" means a mechanically-propelled vehicle adapted for use without rails upon roads and moved by electrical power transmitted thereto from some external source ;

"The Tramway Undertaking" means the tramway undertaking of the Corporation as authorised for the time being ;

"The Electricity Undertaking" means the electricity undertaking of the Corporation as authorised for the time being ;

"Daily Penalty" means a penalty for every day on which an offence is continued after conviction ;

"The Public Health Acts" means the Public Health (Ireland) Act, 1878, and any Act or Acts amending the same ;

"The Ministry of Home Affairs" means the Ministry of Home Affairs for Northern Ireland ;

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"The Ministry of Commerce" means the Ministry of Commerce for Northern Ireland;

"The Commissioner of Valuation" means the officer to whom the Minister of Finance for Northern Ireland has, for the time being, in pursuance of sub-section (3) of section one of the Ministries of Northern Ireland Act, 1921 (N.I.) assigned for exercise and performance the power and duties transferred to the Ministry of Finance for Northern Ireland from the Commissioner of Valuation and Boundary Surveyor for Ireland;

"Statutory Security" means any security in which trustees are for the time being by or under any Act of Parliament passed or to be passed authorised to invest trust money and any mortgage bond, debenture, debenture-stock, stock or other security authorised by or under any Act of Parliament passed or to be passed of any county council or municipal corporation or other local authority as defined by Section 34 of the Local Loans Act, 1875, but does not include annuities, rent-charges or securities transferable by delivery or any securities of the Corporation;

"Statutory Borrowing Power" means any power whether or not coupled with a duty of borrowing or continuing on loan or re-borrowing money or of redeeming or paying off or creating or continuing payment of or in respect of any annuity, rent-charge, rent or other security representing or granted in lieu of consideration money for the time being existing under any Act of Parliament public or local passed or to be passed or under any Provisional Order confirmed by Act of Parliament passed or to be passed or under any order or sanction of any Government Department made or given or to be made or given by authority of any Act of Parliament passed or to be passed;

"Street" includes any highway and any bridge, road, lane, footway, square, court, alley or passage (whether a thoroughfare or not) open to the public and any part or parts of any such highway, bridge, road, lane, footway, square, court, alley or passage within the City whether existing or made before or after the passing of this Act;

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"Cattle" includes any bull, bullock, ox, cow, steer, heifer, calf, ram, ewe, wether, lamb, goat, kid or swine;

The expression "Road Authority" when used in relation to any street or road outside the City means the road authority or authorities responsible for the maintenance of such street or road.

PART II.

Trolley Vehicles and Omnibuses.

Power to use Trolley Vehicles.

4. The Corporation may provide, maintain and equip trolley vehicles and may use the same along any street or road in or beyond the City in which they are at the date of the passing of this Act authorised to work tramways and, with the consent of the Ministry of Home Affairs, along any other street or road in or beyond the City for the purpose of providing a turning point or of obtaining access to any depot, garage, building or work of the Corporation used in connection with their trolley vehicles:

Provided that—

(*a*) The Corporation shall not manufacture any part or parts of such trolley vehicles other than the bodies thereof.

(*b*) Before equipping a trolley vehicle route to include a turning point or before arranging for a new turning point on any route the Corporation shall submit plans of the turning point to the Ministry of Home Affairs for approval and (in the case of a turning point outside the City) to the road authority who may make representations in regard thereto to the said Ministry and the said Ministry may attach to their approval of the said plans such conditions for the protection of the road authority in connection with the equipment and user of any such turning point as the said Ministry may consider proper.

(*c*) Nothing in this section shall authorise the Corporation to use any street or road vested in and under the control of a railway company and forming the approach to any station or

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depot of such company for the purpose of providing a turning point without the permission in writing of such company.

(*d*) Nothing in this section shall authorise the Corporation to use trolley vehicles along any street or road vested in or under the control of the Belfast Harbour Commissioners.

As to Electrical Works.

5.—(1) The Corporation may in, under or over the surface of the streets or roads along or adjoining those along which they are authorised to run trolley vehicles or on which it may be necessary so to do in order to connect the apparatus and equipment for working such vehicles with any generating station place, erect and maintain all necessary and proper standards, brackets, conductors, mains, cables, wires, posts, poles and any other necessary or convenient apparatus and equipment for the purpose of working the trolley vehicles by electrical power and may for that purpose, subject to the provisions contained in this Part of this Act, open and break up any such street or road and any sewers, drains, water or gas pipes, tubes, wires, telephonic and telegraphic apparatus therein or thereunder and may supply electrical energy for the purpose of working the trolley vehicles:

Provided that no post or other apparatus shall be erected on the carriageway except with the consent of the Ministry of Home Affairs.

(2) The Corporation may also adapt and use for the purpose of working trolley vehicles any apparatus and equipment already provided by them for working tramways in streets or roads along which they are or may be authorised to run trolley vehicles.

(3) In this section the expression "Generating Station" has the meaning assigned to it by section 25 of the Electric Lighting Act, 1909.

(4) Nothing in this section shall authorise any interference with any electric lines and works of any undertakers within the meaning of the Electric Lighting Acts, 1882 and 1888, to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

Corporation to have exclusive right of using

6. Subject to the provisions of this Act the Corporation shall have the exclusive right of using any apparatus provided, erected or maintained by them for

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apparatus for working Trolley Vehicles.

the purpose of working the trolley vehicles and any person (except by agreement with the Corporation) using the said apparatus shall for every offence be liable to a penalty not exceeding twenty pounds.

Trolley Vehicles not to be deemed light locomotives, motor cars or public service vehicles.

7.—(1) The trolley vehicles authorised by this Act shall not be deemed to be (*a*) light locomotives within the meaning of the Locomotives on Highways Act, 1896, or (*b*) motor cars within the meaning of any of the provisions of the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland) 1926 (except sections 1, 2, 3, 4 and 5 thereof) or (*c*) public service vehicles within the meaning of any of the provisions of the last-mentioned Act and, subject to the exception aforesaid, neither the Locomotives on Highways Act, 1896, nor the Public Roads (Ireland) Act, 1911, nor the Motor Vehicles (Traffic and Regulation) Act (Northern Ireland) 1926 nor any by-laws or regulations made thereunder nor the enactments mentioned in the Schedule to the Locomotives on Highways Act, 1896, as enactments which are not to apply to light locomotives shall apply to the said trolley vehicles.

(2) Nothing in this Act shall in any way affect the duties of Excise now payable by law on licences to be taken out for trolley vehicles authorised by this Act as hackney carriages.

Approval of Trolley Vehicles and inspection of routes.

8.—(1) The trolley vehicles and the electrical equipment thereof used under the authority of this Act shall be of such form, construction, weight and dimensions as the Ministry of Home Affairs may approve and no trolley vehicle shall be used by the Corporation which does not comply with the requirements of the Ministry of Home Affairs.

(2) Before applying to the Ministry of Home Affairs for approval of the weight of any trolley vehicle to be used upon any road which crosses a bridge belonging to or repairable by a railway company the Corporation shall give to the railway company notice of the weight of the trolley vehicles proposed to be used by them upon such road and the said Ministry shall consider and determine after such inquiry as the said Ministry may think fit any objections which may be submitted by the railway company to the said Ministry on the ground that the strength of the bridge is insufficient to carry trolley vehicles of such weight: Provided that a copy of the

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objections shall be sent by the railway company to the Corporation at the same time as they are sent to the said Ministry.

(3) No trolley vehicle route shall be opened for public traffic until it has been inspected and certified to be fit for traffic by an officer appointed by the Ministry of Home Affairs.

Restriction of Trolley Vehicle traffic over railway bridges.

9.—(1) If, after a trolley vehicle route which passes over a bridge maintainable by a railway company has been opened for public traffic under the authority of this Act, the railway company liable to maintain such bridge shall cause a notice to be placed thereon pursuant to the provisions of Section 6 of the Locomotive Act, 1861, on the ground that such bridge is insufficient to carry certain weights and such notice would apply to the trolley vehicles of the Corporation if such vehicles were locomotives within the meaning of the said last mentioned Act, then and in such case the railway company concerned may make application to the Ministry of Home Affairs for an order restricting the use of trolley vehicles of the Corporation over such bridge.

(2) Notice of any such application shall be given to the Corporation and on such notice being given the said Ministry may direct such inquiry to be held as it thinks fit, and if satisfied that the bridge to which such application relates is insufficient to carry the trolley vehicles of the Corporation then using the same may by order restrict the use of such trolley vehicles thereon in such manner, to such extent and by such regulations as to speed, weight or otherwise as may be necessary and for such period as shall be specified.

(3) The said Ministry may if it thinks fit direct that the whole or any part of the expenses of such inquiry shall be paid by the railway company applying for an order under this section.

(4) Nothing in this section or in any order made thereunder shall alter or diminish the liability of any railway company to maintain and repair a bridge to which this section relates.

Trolley Vehicle Undertaking to form part of Tramway Undertaking

10. Subject to the provisions of this Part of this Act the trolley vehicle undertaking thereby authorised shall be deemed to form part of the tramway undertaking and of the Corporation tramways and all enactments

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relating to the tramway undertaking or to the Corporation tramways shall (so far as applicable and with the necessary modifications) extend and apply to the said trolley vehicle undertaking and to the trolley vehicles of the Corporation and such enactments shall be read and have effect as if the works to be constructed in the streets or roads for moving the trolley vehicles by electrical power were tramways and as if the said trolley vehicles were carriages used on tramways.

Accounts of Tramway Undertaking.

11. In the accounts of the Corporation relative to the tramway undertaking the income from and expenditure upon or in connection with trolley vehicles shall (so far as may be reasonably practicable) be distinguished from the income from and expenditure upon or in connection with the omnibus undertaking or the remainder of the tramway undertaking but, notwithstanding anything in this section, the revenues of the trolley vehicle undertaking and of the omnibus undertaking shall form part of the tramway revenue for the purposes of all enactments relating to the tramway undertaking or to the Corporation tramways.

Ministry of Home Affairs may authorise new routes.

12.—(1) If at any time hereafter the Corporation desire to provide, maintain, equip and use trolley vehicles upon any street or road in the City (other than the streets and roads along and upon which they are by this Act authorised to use trolley vehicles) they may make application to the Ministry of Home Affairs and the Ministry of Home Affairs is hereby empowered to make an Order authorising the use by the Corporation of trolley vehicles subject to such conditions and restrictions, if any, as the said Ministry may think fit upon any road or roads or street or streets to which such application relates and containing such incidental provisions as the said Ministry may deem expedient, and, subject to the terms of the said Order, the provisions of this Act shall apply as if the use of trolley vehicles upon the roads or streets to which such Order applies were authorised by this Act.

(2) The provisions of sub-section (1) of this section shall apply to any street or road vested in or under the control of the Belfast Harbour Commissioners if the said Commissioners shall so consent in writing but not otherwise which consent may be given subject to such terms

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and conditions as may be agreed between the said Commissioners and the Corporation and any order made by the Ministry of Home Affairs under the said subsection in respect of any such street or road shall confirm or embody the terms and conditions so agreed upon.

(3) No such application shall be entertained by the Ministry of Home Affairs unless the Corporation shall—

(*a*) have published once in each of two successive weeks notice of their intention to make such application in some newspaper or newspapers circulating in the City;

(*b*) have also published such notice once in the Belfast Gazette; and

(*c*) have posted for fourteen consecutive days in conspicuous positions in each of the roads or streets to which such application relates a notice of their intention to make such application;

and each such notice shall state the time and method for bringing before the Ministry of Home Affairs any objections to the granting of such application.

(4) The Ministry of Home Affairs may and is hereby empowered to prescribe the procedure with respect to any application for an Order under this section.

(5) The Ministry of Home Affairs shall consider any such application and may if it thinks fit direct an Inquiry to be held in relation thereto or may otherwise inquire as to the propriety of proceeding upon such application and shall consider any objection to such application that may be lodged in accordance with the prescribed procedure and shall determine whether or not it is expedient and proper that the application be granted either with or without addition or modification or subject or not to any restriction or condition.

(6) The making of an order under this section shall be prima facie evidence that all the requirements of this section in respect of proceedings required to be taken previously to the making of such order have been complied with.

(7) Any expenses incurred by the Ministry of Home Affairs in connection with the preparation and making of any such Order or in connection with any Inquiry under this section shall be paid by the Corporation.

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Tramway regulations to apply to Trolley Vehicles.

13. All subsisting regulations and by-laws of the Corporation relating to the Corporation Tramways so far as the same are applicable shall with the necessary modifications apply to the trolley vehicles provided by the Corporation in pursuance of this Act.

Acquisition of lands by agreement.

14. The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them such houses, buildings and sheds and may provide such plant, appliances and conveniences as may be requisite or expedient for the establishment, running, equipment, maintenance, repair and housing of trolley vehicles but the Corporation shall not create or permit any nuisance on any lands upon which they erect any such houses, buildings or sheds.

Working and other agreements.

15.—(1) The Corporation and any local authority empowered to run trolley vehicles or omnibuses in any borough or urban or rural district adjacent to the City or adjacent to any borough or urban or rural district in which any route over which the Corporation are for the time being empowered to run trolley vehicles or omnibuses is situate may enter into and carry into effect agreements for the working, user, management and maintenance of all or any of the trolley vehicle or omnibus services which the contracting parties are empowered to provide subject to the provisions of the respective Acts under which such trolley vehicle or omnibus services are authorised.

(2) The Corporation and any company, body or person may enter into and carry into effect agreements for the working, user, management and maintenance of any trolley vehicle or omnibus services on any route over which the Corporation are for the time being empowered to run trolley vehicles or omnibuses.

(3) The Corporation and any such local authority, company, body or person as aforesaid may also enter into and carry into effect agreements for all or any of the following purposes (that is to say):—

(*a*) the provision, erection and maintenance of apparatus and equipment for connecting the trolley vehicle routes of the contracting parties;

(*b*) the working, user, management and maintenance of any trolley vehicles, omnibuses, lands,

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depots, buildings, sheds and property provided in connection with any such trolley vehicle or omnibus services as aforesaid by either of the contracting parties and the right to provide and use the same and to demand and take the fares and charges authorised in respect of such service;

(*c*) the supply by any of the contracting parties under and during the continuance of any such agreement under this section of trolley vehicles and omnibuses and conveniences in connection therewith necessary for the purposes of such agreements and the employment of officers and servants;

(*d*) the supply of motive power for working trolley vehicles;

(*e*) the inter-change, accommodation, conveyance, transmission and delivery of traffic arising on or coming from or destined for any trolley vehicle or omnibus service of the contracting parties;

(*f*) the payment, collection and apportionment of the fares and charges and other receipts arising from any such trolley vehicle or omnibus services as aforesaid.

(4) Section 44 (Working and other Agreements) of the Act of 1924 is hereby repealed.

Lost Property.

16. Any property found on any trolley vehicle or omnibus of the Corporation shall forthwith be taken to a place to be appointed for the purpose by the Corporation, and if the same be not claimed within six months after the finding thereof it may be sold as unclaimed property by public auction after notice by advertisement in one or more local newspapers once in each of two successive weeks and the proceeds thereof carried to the credit of the tramway revenue.

As to abandonment of Tramways.

17.—(1) At any time after the passing of this Act the Corporation may abandon or discontinue temporarily or permanently any of the Corporation tramways along the route of which the Corporation have provided and equipped or are about to provide and equip trolley vehicles or have provided omnibuses under the provisions of the Act of 1924 or any subsequent enactment.

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(2) As from the date upon which and so long as a service of trolley vehicles or omnibuses is provided by the Corporation in lieu of a tramway service upon the route of any of the Corporation tramways within the city the revenue of the tramway undertaking shall (to such extent as the Council may from time to time by resolution determine) cease to be charged with any expenses incurred by the Corporation under any enactment relating to that undertaking upon or in connection with the maintenance and repair of streets or roads along the route or routes upon which such service of trolley vehicles or omnibuses is provided but nothing in this sub-section shall relieve the Corporation of any liability attaching to them in respect of such maintenance and repair.

(3) It shall be lawful for the Corporation after they shall have permanently abandoned or discontinued any of the Corporation tramways under the provisions of sub-section (1) of this section to remove the tramway so abandoned or discontinued or any part thereof or any of the apparatus connected or used therewith and to sell and dispose of the materials so removed: Provided that before commencing any such removal from a street or road outside the City the Corporation shall give to the road authority not less than seven days' notice thereof in writing.

(4) The Corporation shall make good all damage occasioned to any street or road by any such removal as aforesaid and in the case of a street or road outside the City shall do so in accordance with the requirements of the road authority provided that such requirements shall not be unreasonable and that any question or dispute arising in respect of the same shall be determined by the Ministry of Home Affairs.

(5) The Corporation may with the consent of the Ministry of Home Affairs charge and carry to the accounts of the City Fund in exoneration of the accounts of the tramway undertaking the whole or any portion of the cost incurred by them in the removal of any tramway or part thereof or apparatus connected therewith under the provisions of this section or in making good damage to any street or road occasioned by such removal.

For protection of the Postmaster-General.

18.—(1) Sub-section (4) of Section 30 (For protection of Post Office telegraph lines) of the Act of 1904 shall be read and have effect as if the words "generated

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or used by or supplied to" were substituted for the words "generated by."

(2) Sub-section (4) of Section 42 (Power to run omnibuses) of the Act of 1924 shall extend and apply to the trolley vehicles provided under this Act.

For protection of the Great Northern Railway Company (Ireland) and Northern Counties Committee of the London Midland and Scottish Railway Company and the Belfast and County Down Railway Company.

19. The following provisions for the protection of Great Northern Railway Company (Ireland), and the Northern Counties Committee of the London Midland and Scottish Railway Company and of the Belfast and County Down Railway Company (each of whom is in this section referred to as "the Company") shall unless otherwise agreed in writing between the Corporation and the Company apply and have effect (that is to say):—

(1) (*a*) On the taking up or removal by the Corporation under the section of this Act of which the marginal note is "As to abandonment of tramways" of any tramway or apparatus connected or used therewith situate on or attached to any bridge or bridge approaches belonging to or maintainable by the Company the Corporation shall to the reasonable satisfaction of the Company restore the surface of any road on such bridge or bridge approaches and make good all damage to any such bridge occasioned by such taking up or removal.

(*b*) The Corporation shall give to the Company not less than seven days' previous notice in writing of their intention to carry out any such work as is referred to in paragraph (*a*) of this sub-section and shall state in such notice the place and time at which they propose to commence these works and the Company may where reasonably necessary employ watchmen or inspectors to watch any of the work and operations of the Corporation and the reasonable cost thereof together with any expense to which the Company may reasonably be put in consequence of such works and operations shall be borne by the Corporation.

(2) In this section the word "apparatus" means standards, brackets, conductors, mains, cables, wires, posts, poles and any other apparatus and equipment for the purpose of working trolley vehicles under or in pursuance of this Act.

(3) The apparatus where the same shall be erected or placed upon, across, under or over any bridge or the

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approaches thereto or over any level crossing or other work belonging to or maintainable by the Company or will otherwise affect the same shall be erected or placed and maintained so as not to affect injuriously the structure of any such bridge or approaches and according to plans and particulars to be previously submitted to and reasonably approved by the Company, provided that if the Company do not within twenty-eight days after such submission signify their disapproval of such plans and particulars they shall be deemed to have approved thereof. All such apparatus shall be erected or placed under the superintendence (if the same be given) and to the reasonable satisfaction of the Company. In the event of any injury being occasioned to such bridge, approaches or work by the construction, maintenance, user or removal of the apparatus upon, across, under or over the same the Company may make good the injury and may recover from the Corporation the reasonable expenses of so doing.

(4) The Corporation shall on demand pay to the Company the reasonable expense of such watching (if any) of the railway and property of the Company as shall be necessary during and in consequence of the erection, installation or repair by the Corporation under or in pursuance of this Part of this Act of any apparatus affecting any bridge or other work belonging to or maintainable by the Company for preventing all interference, obstruction, danger or accident from any such operations or from the acts or defaults of the Corporation or their contractors or any person in the employment of either of them in connection therewith.

(5) The Corporation shall not in any manner in the execution, maintenance, user or repair of any of the apparatus obstruct or interfere with the free, uninterrupted and safe user of any railway or siding belonging to or maintainable by the Company or any traffic thereon.

(6) The Corporation shall be responsible for and make good to the Company all losses, damages and expenses which may be occasioned to the Company or any of their works or property or to any works or property which they may be liable to maintain or to the traffic on their railways or to any company or person using the same by or by reason of the erection, installation or failure of any of the apparatus or by or by reason of any act, default or omission of the Corporation or of any

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person in their employment or of any of their contractors in connection with the apparatus or any part thereof and the Corporation shall effectually indemnify and hold harmless the Company from all claims and demands upon or against them by reason of such erection, installation or failure or of any such act, default or omission.

(7) If the Company in the exercise of their existing powers shall hereafter require to widen, lengthen, strengthen, reconstruct, alter or repair any of their bridges, approaches or other works under or upon which the apparatus is laid or to widen or alter any railway thereunder or thereover the Corporation shall afford to the Company all reasonable and proper facilities for the purpose and if it shall be necessary for such purpose that the apparatus be taken up, diverted or removed and if the Company accordingly give to the Corporation twenty-eight days' notice in writing (or in case of emergency such notice as may be reasonably practicable) requiring such taking up, diversion or removal then the working or user of such part of the apparatus shall be stopped or delayed or such part of the apparatus shall be taken up, diverted or removed as stated in such notice at the reasonable expense of the Corporation and under their superintendence (if they shall give such superintendence) but no such working or user shall be stopped or delayed for a longer period than may be absolutely necessary for effecting such purpose as aforesaid and such part of the apparatus shall be restored with all practicable dispatch and the Company shall not be liable to pay compensation in respect of such stoppage, delay or taking up, diversion or removal.

(8) The Corporation shall from time to time pay to the Company any additional expense which the Company may reasonably incur in effecting such widening, lengthening, strengthening, reconstruction, alteration or repair as is mentioned in the last preceding sub-section or in the maintenance of any bridge approach or other work of the Company by reason of the existence of the apparatus.

(9) If and when the Company shall require to reconstruct, widen, lengthen, alter, repair or paint any bridge under which any electric wire of the Corporation has been placed under or in pursuance of this Part of this Act the Corporation shall, if it shall be reasonably necessary for them so to do and in order to ensure the safety of the

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workmen employed in such reconstruction, widening, lengthening, alteration, repair or painting, cut off the electric current from the trolley wires under such bridge at such time as shall be agreed between the Corporation and the engineer of the Company or failing agreement as shall be determined by arbitration under this section unless the Corporation shall have previously adopted some other means of protection to workmen which shall have been approved by the said engineer.

(10) If having regard to the proposed position of any of the apparatus when considered in relation to the position of the works of the Company at any point where such apparatus will be constructed over or under the railway or other works of the Company it becomes necessary in order to avoid danger from the breaking or falling of wires that the electric, telegraphic, telephonic or signal wires or plant of the Company shall be altered the Company may execute any works reasonably necessary for such alteration and the reasonable expense of so doing shall be repaid to the Company by the Corporation. Provided that notice of their intention to execute such works shall be given by the Company to the Corporation.

(11) The Corporation shall not for the purposes of this Part of this Act make attachments to any bridge or other property of the Company without the consent in writing of the engineer of the Company which shall not be withheld unreasonably.

(12) Nothing in this Act contained shall impose any obligation upon the Company to strengthen, alter or reconstruct any bridge or road belonging to or maintained by such Company or enlarge any existing obligation of such Company.

(13) If any difference shall arise between the Corporation and the Company or their respective engineers with reference to the matters aforesaid such difference shall be referred to and determined by a single arbitrator to be agreed upon between the parties or, failing agreement, to be appointed on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers, and, subject as aforesaid, the provisions of the Common Law Procedure Amendment Act (Ireland), 1856, or any Statutory modification thereof shall apply to any such reference and determination.

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PART III.

Disqualification.

Disqualification of members of Council.

20. Any member of the Council who by improper means or with any improper motive canvasses or induces or attempts to canvass or induce any person in the employment of the Corporation—

(*a*) to appoint or refrain from appointing any person to any employment under the Corporation or to recommend or obtain or refrain from recommending or obtaining the appointment of any person to such employment; or

(*b*) to dismiss or discharge or refrain from dismissing or discharging any person in the employment of the Corporation or to recommend or obtain or refrain from recommending or obtaining the dismissal or discharge of any such person

shall be disqualified for being a member of the Council or for being elected or chosen as such and such disqualification shall continue for a period of ten years after such person has ceased to be such member.

Disqualification of members of Council for acting professionally.

21. Any member of the Council who being a barrister, solicitor, medical doctor, accountant, architect, surveyor, estate agent or valuer or stockbroker or a member of any other profession acts or purports to act or is in any way whatever engaged or concerned professionally for any other person or for any firm or corporate body in any legal or other business or proceedings of any kind whatsoever whether contentious or non-contentious in which the Corporation is or may be interested or concerned including any matter which by Act of Parliament or otherwise is under the jurisdiction of the Council or any of its committees or officials shall be disqualified for being a member of the Council:

Provided always that a member of the Council shall not be disqualified under this section by reason only of his—

(*a*) being summoned to attend as a witness and giving evidence in consequence of such summons before any Court or other tribunal having power to direct the attendance of witnesses; or

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(*b*) being engaged or concerned in any proceedings instituted before a Court of Summary Jurisdiction in relation to any alleged breach of or offence against the provisions of any enactment or any by-law of the Corporation and brought against him in his professional capacity as representative of another person.

Office of disqualified person to be declared vacant.

22. Where under the provisions of this part of this Act a member of the Council becomes disqualified for holding office, the Council shall forthwith declare the office to be vacant and signify the vacancy by notice signed by three members and countersigned by the Town Clerk and notified in such manner as the Council direct, and the office shall thereupon become vacant.

Penalty for acting when disqualified.

23. If any person acts when disqualified under this part of this Act he shall for each offence be liable on summary conviction to a fine not exceeding twenty pounds without prejudice to the disqualification enacted by sub-section three of section ninety-four of the Local Government (Ireland) Act, 1898.

Acts of disqualified persons not invalid.

24. The acts and proceedings of a person in possession of a corporate office in the Council and acting therein shall, notwithstanding his disqualification under this part of this Act, be as valid and effectual as if he had been qualified.

PART IV.

Officers.

Section 1 of the Local Officers' Superannuation Act (Ireland) 1869, to apply to certain part-time officers.

25. The provision in section 1 of the Local Officers' Superannuation Act (Ireland), 1869, which prohibits a public body from granting a superannuation allowance to an officer, unless his whole time has been devoted to the service of that body shall not have effect in the case of any salaried officer of the Corporation who is employed by reason of his being a registered medical practitioner, registered dentist or duly qualified veterinary surgeon, and the said provision of section 1 of the Local Officers' Superannuation Act (Ireland) 1869 shall be deemed not to have had effect in the case of any such officer in the service of the Corporation at the date of the passing of this Act.

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Amendment and modification of the operation of Section 15 of the Act of 1845.

26. Section 15 (Officers receiving fees to lose their offices and forfeit £50) of the Act of 1845 shall not apply and shall be deemed never to have applied to:—

(*a*) Any bargain or contract made by the Corporation with any clerk or other officer in their employment subject to such conditions, rates and charges as would have applied if the bargain or contract had been made with any person other than such clerk or officer for or with respect to all or any of the following matters:—

(i) the supply of gas or electricity or coke;

(ii) the hire or purchase of gas or electrical stoves and heating or lighting equipment;

(iii) the use of Corporation baths;

(iv) education at any school or college managed or controlled by the Corporation;

(v) the purchase, opening or up-keep of graves;

(vi) carriage by any Corporation tram, trolley vehicle or omnibus;

(vii) treatment and maintenance of patients in any hospital, sanatorium or asylum managed or controlled by the Corporation;

(viii) the supply, provision or granting of any other commodity, service or benefit made available by the Corporation in the administration of a public service; or

(*b*) Any clerk or other officer of the Corporation who is interested or concerned in any bargain or contract made between the Corporation and any joint stock company (other than a private company) by reason only of being a shareholder in such company.

PART V.

Rating.

Power to make provisional valuations

27.—(1) Where any building erected within the City is not included in the tenement valuation of the City it shall be lawful for the Corporation to cause a

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of certain buildings and to rate the same.

valuation to be made of the annual value of the same and thereupon the Corporation may cause any rate or assessment to be made and levied upon the occupier or owner thereof (as the case may be) which the Corporation could have made and levied if such building had been included in the said tenement valuation and valued therein at the amount of the valuation made under the powers of this section:—

Provided that—

(i) Where any building to be valued under this section is used or partly used for industrial or freight-transport purposes such building shall be distinguished accordingly, and the valuation thereof, where necessary, apportioned in accordance with the provisions of the Rating and Valuation (Apportionment) Act (Northern Ireland), 1928, and for the purpose of any rate or assessment to be made or levied under this Section in respect of such building the provisions of Part I of the Local Government (Rating and Finance) Act (Northern Ireland), 1929, shall apply as if such building had been distinguished and such apportionment (if any) had been shown in the valuation lists under the provisions of sub-section (1) of Section 1 of the Rating and Valuation (Apportionment) Act (Northern Ireland) 1928.

(ii) Nothing in this section shall authorise or enable the Corporation to make or levy in respect of any such building any rate or assessment from which by reason of its nature or user such building would by virtue of any enactment be exempt.

(iii) The valuation hereby authorised shall be used only for the making and levying of rates or assessments by the Corporation and any valuation of a building made under the provisions of this section shall cease to have effect as from the date on which the valuation of such building shall be first determined by the Commissioner of Valuation but without prejudice to the right of the Corporation to collect and recover after that date the amount

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of any rate or assessment made before that date under the powers of this section.

(iv) This section shall not apply to any building erected as an alteration of or addition to an existing building or to agricultural buildings as defined in sub-section (2) of section two of the Rating and Valuation (Apportionment) Act (Northern Ireland) 1928.

(2) For the purposes of this section the valuation of a building shall be deemed to be first determined by the Commissioner of Valuation on the date on which the Commissioner of Valuation shall transmit to the Town Clerk a revised valuation list which includes such building for the first time.

(3) Where the valuation as determined by the Commissioner of Valuation, or on appeal to or from such Commissioner, of any building of which the Corporation have made a valuation under the provisions of this section is greater or less than such last mentioned valuation and where the apportionment made by the said Commissioner, or on appeal as aforesaid, of the valuation of any such building used partly for industrial or freight-transport purposes differs from the apportionment made by the Corporation, then and in either of such cases the amount of any rate or assessment made by the Corporation under the provisions of this section shall be deemed to be increased or diminished correspondingly and the difference in the amount of such rate or assessment shall be paid to or, if paid, shall be refunded by the Corporation accordingly.

Power to rate tenements and hereditaments ceasing to be exempt.

28. Where it is represented by the Corporation to the Commissioner of Valuation that any tenement or hereditament in the City has by reason of a change in its nature or user ceased to be entitled to the exemption from rates provided for by section 2 of the Valuation (Ireland) Amendment Act 1854 and any enactment amending the same, then and as soon as it shall so happen the Corporation may apply to the Commissioner of Valuation to make a revision of the tenement or hereditament, including the half rent, if any, thereof, and the Commissioner of Valuation, if satisfied that the said tenement or hereditament has ceased to be entitled to the said exemption, shall forthwith make the revision

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and issue to the Corporation the certificate showing the revised valuation, and upon receipt of such certificate the Corporation may cause any rate or assessment to be made as though the revised valuation had formed part of the revised Valuation List for the year then current, and may levy upon the occupier or owner (as the case may be) of such tenement or hereditament a part of the amount of any such rate or assessment proportionate to such part of the period for which such rate or assessment shall have been made as shall be subsequent to such tenement or hereditament ceasing to be exempt as aforesaid, and the Corporation shall include the valuation of the tenement or hereditament and the amount shown in the valuation lists as the half rent, if any, thereof in the next list of tenements requiring revision provided for by Section 4 of the Valuation (Ireland) Amendment Act, 1854.

Making of rate or assessment and recovery thereof.

29.—(1) Any rate or assessment under this part of this Act shall be sufficiently made by resolution of the Council and no public or other notice of the making of any such rate or assessment shall be necessary.

(2) All enactments and provisions for the time being in force relating to the levying, collection and recovery of any rate or assessment by the Corporation shall, subject to the provisions of this section and so far as the same may be applicable, apply to the levying, collection and recovery of any rate or assessment made under this part of this Act.

As to claims for repayment of rates

30. A person shall not be entitled to recover back from the Corporation under the provisions of section 380 of the Act of 1845 any portion of any rate paid by him in respect of property of which he has ceased to be the occupier unless such person shall make application in writing to the Corporation for repayment under the said section within one calendar month after he shall have ceased to be the occupier of such property and the said section shall hereafter be read and have effect accordingly.

Limitation of hours of inspection of rate books on Saturdays.

31. Anything in any enactment to the contrary notwithstanding any rate book in the custody of the Corporation or of any officer thereof shall not after the passing of this Act be open or available for inspection for any purpose on any Saturday after the hour of one o'clock in the afternoon and all notices relating to the

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hours of inspection of any such rate book and now required to be given or published shall be amended accordingly.

PART VI.

Public Health.

Notices, lectures, etc., on questions as to health or disease.

32.—(1) The Corporation may arrange for the publication within the city of information on questions relating to health or disease, and for the delivery of lectures and the display of pictures in which such questions are dealt with and may defray the whole or a portion of expenses incurred for any of the purposes of this section.

(2) The Ministry of Home Affairs may, for the purposes of this section, make rules prescribing restrictions or conditions subject to which the powers conferred by this section may be exercised.

Verminous articles.

33.—(1) If it appears to the Corporation on the certificate of the medical officer that any articles in any premises used for human habitation in the City are infested with vermin, or by reason of their having been used by, or having been in contact with, any person infested with vermin, are likely to be so infested, the Corporation at their expense may cause such articles to be cleansed, disinfected or destroyed, and if necessary for that purpose to be removed from the premises.

(2) If it appears to the Corporation on the certificate of the medical officer that any second-hand article of clothing or bedding exposed or kept for sale in any shop, stall, booth or market place in the city is filthy or verminous the Corporation at their expense may cause the article to be cleansed, disinfected or destroyed and if necessary for that purpose to be removed.

(3) Where a person sustains damage by reason of the exercise by the Corporation of their powers under this section, and the condition of the article with respect to which those powers have been exercised is not attributable to his act or default, the Corporation shall make reasonable compensation to that person.

Verminous houses.

34.—(1) If it appears to the Corporation, on the certificate of the medical officer, that any premises used

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for human habitation in the city are infested with vermin, the Corporation may give written notice to the occupier of the premises, or if the premises be vacant to the owner of the premises, requiring him within a period specified in the notice to cleanse the premises, and the notice may require, among other things, the removal of wallpaper or other covering on the walls and the taking of such other steps as the Corporation may require for the purpose of destroying or removing vermin:

Provided that, where any work required by the notice is work for which the owner of the premises is under the tenancy responsible, the notice requiring the work to be performed may be given by the Corporation to the owner of the premises.

(2) If the person on whom a notice under this section is served fails within the period specified in the notice to comply with the requirements thereof, he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding ten shillings, and the Corporation may, after the expiration of the said period, themselves carry out the work required by the notice, and recover the reasonable costs and expenses incurred by them in a summary manner from that person.

(3) If any person upon whom a notice is served under this section, deems himself aggrieved by the requirements of the notice, he may within fourteen days after the service of the notice, appeal to a Court of Summary Jurisdiction and any order made by the Court shall be binding and conclusive on all parties.

Powers of officers of Corporation, etc.

35.—(1) Sections one hundred and eighteen and one hundred and nineteen of the Public Health (Ireland) Act, 1878 (which relate respectively to the power of entry by a sanitary authority in case of nuisances, and the penalty for disobedience to an order for admission to premises) shall apply and have effect as if references therein to nuisances included references to articles and premises infested, or suspected of being infested, with vermin, and as if references to that Act included references to this Part of this Act.

(2) Any person who wilfully obstructs any person duly employed by the Corporation in the carrying out or execution of the powers or duties of the Corporation under the sections in this Part of this Act the marginal

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notes of which are respectively "verminous articles" and "verminous houses" shall be liable for every such offence to a penalty not exceeding five pounds. A.D. 1930.

Cleansing of verminous persons.

36.—(1) Upon the application of any person the Corporation may, if they think fit, take such measures as may, in their opinion, be necessary to free from vermin or cleanse and disinfect that person and his clothing.

(2) Where it appears to the Corporation, on a report from the medical officer, that any person, or the clothing of any person, is infested with vermin or is likely to be so infested whether as the result of contact or otherwise or that the cleansing or disinfecting of such person or his clothing would tend to prevent or check infectious disease, and such person consents to be removed to a cleansing station, the Corporation may cause him to be removed to such station, and, if he does not so consent, then a Court of Summary Jurisdiction, if satisfied on the application of the Corporation that it is necessary that he or his clothing should be cleansed or disinfected, may make an order for his removal to a cleansing station and for his detention therein for such period and subject to such conditions as may be specified in the order.

(3) Where a person has been removed to a cleansing station in pursuance of the last preceding sub-section, the Corporation shall take such measures as may, in their opinion, be necessary to free from vermin or to cleanse and disinfect such person and his clothing.

(4) Any consent required to be given for the purposes of this section may, in the case of a person under the age of sixteen years, be given on his behalf by his parent or guardian.

(5) The cleansing or disinfecting of females under this section shall be effected only by a duly qualified medical practitioner or by a woman duly authorised by the medical officer.

(6) No charge shall be made by the Corporation in respect of the cleansing or disinfecting of a person or of his removal to or his maintenance in a cleansing station under this section, and such cleansing, disinfecting, removal and maintenance shall not be considered to be parochial relief or charitable allowance to the person cleansed, disinfected, removed or maintained, or to the

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parent of such person, and neither he nor his parent shall by reason thereof be deprived of any right or privilege, or be subject to any disqualification or disability.

(7) Any person who wilfully disobeys or obstructs the execution of an order under this section shall be liable to a penalty not exceeding five pounds.

(8) Upon the commencement of this section, the Corporation shall cease to be a local authority for the purpose of the Cleansing of Persons Act, 1897.

(9) The powers conferred on the Corporation by this section shall be in addition to, and not in derogation of any power in relation to the cleansing of children that may be exerciseable by them under the Children Act, 1908 or otherwise.

Removal to hospital of infectious persons suffering from tuberculosis.

37.—(1) Where it is proved to the satisfaction of a Court of Summary Jurisdiction—

(*a*) that any person suffering from tuberculosis is in an infectious state, and

(*b*) that the lodging or accommodation provided for that person is such that proper precautions to prevent the spread of infection cannot be taken, or that such precautions are not being taken, and

(*c*) that serious risk of infection is thereby caused to other persons, and

(*d*) that a suitable hospital or institution exists for the reception and accommodation of that person,

the Court, upon the application of the Corporation may, with the consent of the superintending body of the hospital or institution, make an order for the removal of that person to that hospital or institution and for his detention and maintenance therein for such period, not exceeding three months, as the Court think fit.

(2) Before making application for an order under this section, the Corporation shall give to the person to whom the application is to relate, or to some person having the care of that person, not less than three clear days' notice of the time and place at which the application will be made.

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(3) Upon application being made for an order under this section the Court may in any case in which they think it necessary to do so require the person to whom the application relates to be examined by such duly qualified medical practitioner as the Court may direct.

(4) The cost of the removal of any person to a hospital or institution, and of his detention and maintenance therein in pursuance of an order made under this section, and of his examination by a duly qualified medical practitioner as hereinbefore provided shall be borne by the Corporation, and during any period for which a person is so detained the Corporation may, and, if so required by the Court, shall make towards the maintenance of any dependants of that person such contributions as the Corporation think fit, or as may be directed by the Court, as the case may be.

(5) Where, before the expiration of any period for which a person has been ordered to be detained under this section, the Court are satisfied upon the application of the Corporation that the conditions which led the Court to order his detention will again exist if he is not detained for a further period, the Court may, subject to the like consent, order the detention of that person for a further period not exceeding three months.

(6) Upon not less than three clear days' notice being given to the town clerk application for the rescission of the order may be made by or on behalf of the person to whom the order relates at any time after the expiration of six weeks from the date of the order, and upon the hearing of any such application the Court may, if they think fit, rescind the order.

(7) An order under this section may be addressed to such officer of the Corporation as the Court may think expedient, and any person who wilfully disobeys or obstructs the execution of such order shall be liable to a penalty not exceeding ten pounds.

Disinfection of second-hand clothing, etc.

38.—(1) The Corporation may make provision in the city for the disinfection or cleansing of second-hand clothing or bedding and may if they think fit make such charges therefor as shall be reasonable : Provided always that nothing in this sub-section shall authorise the Corporation to charge for the disinfection or cleansing of any article which under the provisions of this or any

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other enactment the Corporation are bound to disinfect or cleanse at their own expense.

(2) The medical officer may issue in respect of any article or consignment of second-hand clothing or bedding which is intended to be sent from the city to some place outside Northern Ireland and which has been properly disinfected or cleansed to his satisfaction a certificate to the effect that such article or consignment has been so disinfected or cleansed and the Corporation may if they think fit make such charge for any such certificate as shall be reasonable.

Medical officer may certify as to purity of certain articles of food.

39. Where the medical officer is satisfied as to the purity of any article of food intended to be sent from the city to some place outside Northern Ireland for sale for human consumption he may issue a certificate of purity in respect of any such article and the Corporation may if they think fit make such charges therefor as shall be reasonable: Provided that a certificate under this section shall not be issued unless by the law of the place into which it is intended to import any such article of food such a certificate from a municipality, local authority or the officer of a municipality or local authority is made a condition of import or sale.

Amendment of Section 40 of Act of 1923.

40.—(1) Section 40 of the Act of 1923 shall be amended by deleting therefrom the word "substantially" as it occurs in the second line of sub-section (1) and in the third line of sub-section (2) thereof.

(2) The Corporation shall cause public notice to be given of the effect of the provisions of this section by advertisement in two newspapers published in the city.

As to the powers of the Ministry of Home Affairs to make Regulations under Section 40 of the Act of 1923.

41. Any directions or regulations made by the Ministry of Home Affairs under sub-section (1) of Section 40 of the Act of 1923 may—

(i) authorise the Corporation to refuse to register or accept the registration of any premises requiring to be registered under the said section whether the same have been at any time previously registered thereunder or not on any of the following grounds:—

(*a*) the unsuitability of the premises;

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(*b*) the unsuitability of the utensils or apparatus used or proposed to be used therein for or in connection with the sale or manufacture of ice-cream;

(*c*) the character, misconduct or unfitness of the person applying for registration;

(*d*) the existence of any circumstance or condition whether temporary or permanent which would be likely to make the sale or manufacture of ice-cream on the premises a source of danger to public health.

(ii) provide for the cancellation by the Corporation of the registration of any premises registered under Section 40 of the Act of 1923 for such reasons and subject to such conditions as the Ministry of Home Affairs may think proper to specify in any such directions or regulations.

Shellfish not to be gathered from foreshore.

42. It shall not be lawful for any person to gather any shellfish from any part of the foreshore of that portion of Belfast Lough over the waters of which the Corporation have jurisdiction as port sanitary authority and any person offending against this section shall be liable to a penalty not exceeding five pounds and a daily penalty not exceeding twenty shillings: Provided always that this section shall not apply--

(*a*) to any board, body or sanitary authority whose duty it may be to keep the condition of the said foreshore from becoming dangerous to health or to take steps for the abatement of any nuisance thereon; or

(*b*) to any person acting under the direction of such board, body or sanitary authority; or

(*c*) to any person duly authorised in writing by the Medical Officer to gather shellfish.

Registration of butchers' shops.

43.—(1) Any premises within the City used or proposed to be used (*a*) as a butcher's or flesher's shop or (*b*) as a place for the storage of meat by a butcher or flesher shall be registered by the owner or occupier thereof with the Corporation from time to time in such manner as the Ministry of Home Affairs may direct and no premises shall be used for any of the purposes aforesaid unless the same are registered as aforesaid.

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(2) The Corporation may from time to time make by-laws providing for the inspection of such premises and for securing the cleanliness and the proper lighting and ventilation thereof and for prescribing precautions to be taken for protecting meat therein against infection or contamination.

(3) Any person offending against any of the provisions of this section or of any by-laws made thereunder shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings. The Court may in any case in addition to imposing a penalty by order cancel the registration of the premises in relation to which the offence was committed and as and from the date of any such order the premises therein referred to shall be deemed to be premises not registered under the provisions of this section and the Corporation may amend their register accordingly.

Regulation dustbins.

44.—(1) The Corporation may by notice in writing require the owner or occupier of any dwelling-house, warehouse or shop from which the Corporation undertake or may be required to remove any house or trade refuse to provide and maintain in good order and condition dustbins for the convenient removal of such refuse and such dustbins shall be of such size and construction as as may be approved by the Corporation and any owner or occupier who fails within fourteen days after service of such notice upon him to comply with the requirements of the Corporation or who fails to use a dustbin provided in accordance with such notice for the removal of such refuse shall be liable to a penalty not exceeding twenty shillings and to a daily penalty not exceeding five shillings: Provided that this section shall not authorise the Corporation to require the provision of a dustbin in any case in which a dustbin in use at the passing of this Act is of suitable size and in good order and condition.

(2) Sub-section (2) of section 26 of the Public Health Acts Amendment Act, 1890, in its application to the City and the Corporation shall have effect as if the words "or trade" had been inserted therein after the word "house."

(3) The Corporation may sell supply and let for hire to the owners or occupiers of premises in the City,

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but shall not manufacture, dustbins for refuse and may make such charges therefor as they may think reasonable.

(4) In this section the word "dustbin" means a portable receptacle.

As to smoke nuisance.

45.—(1) The Corporation may make by-laws regulating the emission within the city of black smoke and while such by-laws are in force the emission of black smoke for such period as may be prescribed in the by-laws either from buildings generally to which the enactments relating to smoke nuisances apply or from such classes of those buildings as may be so prescribed shall, until the contrary is proved, be presumed to be a nuisance.

(2) For the purposes of sections 107, 108 and 118 of The Public Health (Ireland) Act, 1878, in their application to premises within the city, of Section 172 of the Act of 1845 and of this section the expression "smoke" shall include soot, ash, grit and gritty particles.

(3) Nothing in this section shall apply to any railway locomotive or to any ship habitually used as a sea-going ship, or affect the enactments in force at the passing of this Act with respect to smoke nuisance and smoke consumption in any such ship.

Provision of cleansing stations, etc.

46. The Corporation may provide such cleansing and disinfecting stations, apparatus and attendants, as may be necessary for the exercise of their powers under this Part of this Act and for that purpose may purchase or take on lease or in fee farm any lands or premises.

Notices.

47. Notices required or authorised to be served under this part of this Act may be served in the same manner as notices may be served under section 267 of the Public Health (Ireland) Act, 1878.

Payment of expenses.

48. All expenses incurred by the Corporation in the execution of this part of this Act shall be paid as part of the expenses of the Corporation in the execution of the Public Health Acts.

Power to borrow.

49. The Corporation may borrow for the purpose of raising sums required for the purposes of this part of this Act in like manner and subject to the like conditions

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as for the purpose of defraying the expenses of the execution by the Corporation of the Public Health Acts.

Definitions.

50. In this part of this Act unless the context otherwise requires—

The expression "premises" includes any tent, van, shed or similar structure used for human habitation, and any boat used for the like purpose lying in any river, harbour, dock, canal or other water within the City;

The expression "vermin" in its application to insects and parasites, includes their eggs, larvae and pupae, and the expression "verminous" shall be construed accordingly;

The expression "second-hand" as applied to any article signifies an article which has been worn or otherwise used;

The expression "food" shall include every article used for food or drink by man other than drugs or water, and any article which ordinarily enters into or is used in the composition or preparation of human food; and shall also include flavouring matters and condiments;

The expression "Court of Summary Jurisdiction" means a Court of Summary Jurisdiction constituted in the manner provided by Section 249 of the Public Health (Ireland) Act, 1878.

PART VII.

Financial.

Power to borrow.

51.—(1) (*a*) The Corporation may from time to time (in addition to any moneys which they are now authorised to borrow or raise by the creation and issue of Belfast Corporation Stock) raise by the creation and issue of Belfast Corporation Stock in the manner provided by the Act of 1889 for the purposes mentioned in the first column of the following table the respective sums mentioned or provided for in the second column thereof;

(*b*) The sums payable to the loans fund established under the Act of 1889 for the payment of dividends on

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and towards redemption and extinction of the stock created and issued under the powers of this section for the said several purposes shall be payable out of the respective revenues funds and rates mentioned in the third column of the said table; and

(*c*) The amount of the annual sums payable to the loans fund established under the Act of 1889 towards the redemption and extinction of stock created and issued by the Corporation under the powers of this section shall be such as with accumulations at the rate of three and a half per centum per annum or such other rate as may be prescribed from time to time by the Ministry of Home Affairs will suffice to redeem at par all stock so created within the respective periods from the date or respective dates of creation of the stock (except where otherwise stated) mentioned in the fourth column of the said table (which periods shall for the purposes of any enactment referred to in this Part of this Act respectively be deemed to be "the prescribed period") namely:—

1 Purposes.	2 Amount.	3 Revenue Fund or Rate.	4 Period.
(*a*) (i) For the provision of trolley vehicles.	Such sums as the Ministry of Home Affairs may sanction.	The Tramway Revenue and the City Fund and Consolidated Rate	10 years.
(ii) For the provision of electrical equipment and the construction of other works necessary for working the trolley vehicles authorised by this Act.	Such sums as the Ministry of Home Affairs may sanction.		20 years.
(iii) For the purchase of lands for any of the purposes of the trolley vehicle undertaking.	Such sums as the Ministry of Home Affairs may sanction.		60 years.
(iv) For the erection of buildings for any of the purposes of the trolley vehicle undertaking.	Such sums as the Ministry of Home Affairs may sanction.		40 years.
(*b*) For the removal of tramways and other works consequent thereon.	Such sums as the Ministry of Home Affairs may sanction.		10 years.
(*c*) For the payment of the costs and expenses of obtaining this Act as hereinafter mentioned.	The sum requisite.	The City Fund and the Consolidated Rate.	5 years from the passing of this Act.

(2) Money raised under this section shall be applied only to the purposes for which it is authorised to be raised and to which capital is properly applicable and not otherwise.

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Alternative power to raise money by borrowing, etc.

52. The Corporation may in regard to any money which they are authorised by this Act to raise by means of the creation and issue of Belfast Corporation Stock borrow or raise the same or any part thereof by any of the following methods:—

(1) The exercise of their powers under section 89 of the Act of 1911;

(2) Granting mortgages in pursuance of the provisions of Part III of the Act of 1913;

(3) The exercise of their powers under section 18 of the Act of 1913.

Capital and revenue accounts to be kept separate.

53. All transactions of the Corporation under this Act in respect of the receipt and expenditure of capital whether received by way of loan or otherwise shall be shown in the books and accounts of the Corporation separately from those in respect of revenue.

Expenses of execution of Act.

54. The Corporation shall pay out of the city fund or the consolidated rate the expenses incurred by them in carrying into effect the provisions of this Act other than (*a*) such expenses as may be properly chargeable to capital account and (*b*) any expenses for the payment of which any other provision is made by this Act.

Temporary investment of moneys raised but not immediately required.

55. The Corporation may, and if required by the Ministry of Home Affairs shall, from time to time invest temporarily in a statutory security any sum raised under this Act and not for the time being required for the purpose for which it is raised.

Interest on sinking and redemption funds.

56. Where sums are set apart as a sinking or redemption fund for the purpose of paying off moneys borrowed by the Corporation in the exercise of any statutory borrowing power the interest received in any year from the investment of the sums so set apart shall, after the commencement of this Act, instead of being accumulated and notwithstanding anything in any enactment, form part of the revenue for that year of the fund or rate out of which the sums were set apart, but the contribution to be made to such sinking or redemption fund out of such fund or rate shall in that year be increased by a sum equal to the interest that would have accrued to such sinking or redemption fund during the year if interest had been accumulated therein at such

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rate that the accumulations would, with the sums set apart, be sufficient to pay off the moneys borrowed within the period sanctioned.

Transfer to Registrar of mortgages of custody of certain registers and duties connected therewith.

57.—(1) Where a Bank is appointed by the Corporation to act as Registrar of Corporation mortgages then and in such case any enactment to the contrary notwithstanding the Corporation may place in the custody of such Registrar all registers of Corporation mortgages and of transfers and assignments of such mortgages.

(2) Where any such register as aforesaid is so placed in the custody of such a Registrar then but only so long as such custody continues the following provisions shall have effect:—

(*a*) All enactments providing that any such register shall be kept at the office of the Corporation shall be read and construed as if for references to the office of the Corporation there were substituted references to the head office in the City of the Registrar of Corporation mortgages.

(*b*) All enactments providing for the keeping custody inspection or closing of any such register or for the making of entries therein by the Town Clerk shall be read and construed as though for references to the Town Clerk there were substituted references to the Registrar of Corporation mortgages.

PART VIII.

Miscellaneous.

Corporation may permit Belfast Harbour Commissioners to construct, maintain and use tramways in portion of Duncrue Street.

58.—(1) The Corporation may, subject to such terms and conditions as they think fit, consent to the construction, maintenance and user by the Belfast Harbour Commissioners in that part of the street in the City known as Duncrue Street which abuts on the property of the said Commissioners of tramways or rails for use in connection with the Harbour undertaking of the said Commissioners.

(2) Any consent given by the Corporation under the provisions of this section shall be given in writing under their corporate seal.

(3) No consent shall be given under this section until the Corporation shall have—

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(*a*) published once in each of two successive weeks in some newspaper or newspapers published in the City notice giving particulars of the application of the Belfast Harbour Commissioners for such consent; and

(*b*) posted for fourteen consecutive days in conspicuous positions in the said street notices giving particulars of the said application;

and the Corporation shall, before giving their consent, take into consideration any representations which may be made to them by any person aggrieved.

(4) Every such notice shall specify the time within which representations may be made to the Corporation by any person aggrieved.

(5) No consent given by the Corporation under this section shall have any effect until one month after public notice thereof has been given by the Corporation by advertisement in some newspaper or newspapers published in the City and by posting placards in conspicuous positions in the said street or until such subsequent date as may be specified in the consent, or, where there is an appeal against the Order as hereinbefore provided, pending the determination of such appeal.

(6) Any person aggrieved by a consent given under this section may, within twenty-one days after public notice thereof has been given in manner hereinbefore provided, appeal against the same to the Ministry of Home Affairs. Any such appeal shall be in writing and notice of the same, specifying the grounds thereof, shall be given to the Corporation and the Belfast Harbour Commissioners within the said period of twenty-one days.

(7) On an appeal being duly preferred under the preceding sub-section the Ministry of Home Affairs may, if it thinks fit—

(i) direct an inquiry to be held in relation to such appeal;

(ii) allow or dismiss the appeal in whole or in part;

(iii) with the concurrence of the Corporation and Belfast Harbour Commissioners alter or amend the terms and conditions upon which the consent is given; and

(iv) order the whole or part of the expenses of any inquiry directed under this section to be borne by the appellant or the Belfast Harbour

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Commissioners, in such proportions as the Ministry may think proper.

(8) The Corporation shall not be liable to pay any of the expenses of or incident to an inquiry held in relation to any such appeal as aforesaid.

Power to close streets to enable them to be used as playgrounds for children.

59.—(1) Subject to the provisions of this section the Corporation may by order close any street for a specified period each day or on certain days for the purpose of enabling such street to be used as a playground for children.

(2) Any order made under this section shall state the hours and days during which each of the streets to which such order relates shall be closed, and shall unless previously revoked continue in force for such period as may be specified.

(3) Any order made under this section—

(i) may close a street to all traffic (including the passage of pedestrians) or to any specified class or classes of traffic ; provided, however, that nothing in any such order contained shall prevent the passage of pedestrians bona fide going to or returning from any house in a street closed by such order ;

(ii) may contain exceptions and conditions as to the occasional user of a street closed thereby ;

(iii) may contain rules or regulations for the admission of children to a street closed thereby ; for ensuring the safety of children using the same during the specified hours ; and generally for the good and orderly conduct and management during such hours of such street as a playground ;

(iv) shall not come into force or have any effect until seven days after public notice thereof has been given by the Corporation by advertisement in two newspapers published in the City and by posting a copy of the order in each street to which it relates, or until such subsequent date as may be mentioned in the order, or, where the order is appealed against as hereinafter provided, pending the determination of such appeal.

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(4) The Corporation may at any time revoke the whole or any part of an order made under this section.

(5) If any person acts in contravention of or fails to comply with any order in force under the foregoing provisions of this section he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

(6) The Corporation may during the hours specified in any order under this section for the closing of a street place and keep in position in such street or adjacent thereto temporary barriers for the purpose of preventing vehicular traffic, cattle or horses from gaining access to such street.

(7) The Corporation may employ and pay such person or persons as may be required for giving effect to the provisions of this section or any order made thereunder.

(8) Any person aggrieved by an order made under this section may within seven days after public notice thereof has been given in the manner hereinbefore provided appeal against the same to the Ministry of Home Affairs. Any such appeal shall be in writing and notice of the same specifying the grounds thereof shall be given to the Corporation within the said period of seven days.

(9) On an appeal being duly preferred under the preceding sub-section the Ministry of Home Affairs may if it thinks fit:—

(i) direct an inquiry to be held in relation to such appeal;

(ii) allow or dismiss the appeal in whole or part;

(iii) otherwise alter or amend the order appealed from with the consent of the Corporation; and

(iv) order the appellant to pay the whole or part of the expenses of any inquiry directed under this section in relation to his appeal.

Power to provide buildings for the accommodation of waiting vehicles.

60.—(1) For the purpose of relieving or preventing congestion of traffic in the City the Corporation, subject to the provisions of this Act, may erect and equip with all necessary appliances and apparatus buildings for the accommodation of waiting vehicles of any particular class or description and for that purpose may acquire land or utilise any land (not being part of a street)

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acquired or utilised by the Corporation as a parking place under the provisions of section 6 of the Roads Improvement Act (Northern Ireland), 1928, or which may lawfully be appropriated for the purpose.

(2) Where the Corporation propose to acquire or utilise land for the purposes of this section such proposal shall be deemed a proposal to acquire or utilise land within the meaning of sub-sections (2) and (3) of section 6 of the Roads Improvement Act (Northern Ireland), 1928, and the said sub-sections shall apply to any such proposal accordingly.

(3) The expression "parking place" as it occurs in sub-sections (4) and (6) of section 6 of the Roads Improvement Act (Northern Ireland), 1928, shall include any lands acquired or utilised by the Corporation for the purposes of this section together with any building erected thereon as by this section authorised.

(4) Section 14 of the Roads Improvement Act (Northern Ireland), 1928, shall apply to the expenses incurred by the Corporation under this section as though such expenses had been incurred by the Corporation under the said Act.

(5) Nothing in this section shall authorise the Corporation to repair vehicles or to sell or trade in motor spirit or oil or in spare parts, tyres or other accessories for vehicles.

(6) This section shall not apply to any land vested in the Belfast Harbour Commissioners.

Alteration of width of carriage way and footways in streets.

61. For the purpose of facilitating the passage of traffic, whether vehicular or otherwise, in any street the Corporation may increase the width of the carriageway of such street by reducing the width of the footway on each or either side of such street or may increase the width of the footway on each or either side of such street by reducing the width of the carriageway thereof.

Streams not to be covered over, obstructed or diverted except in accordance with plans.

62.—(1) It shall not be lawful to culvert, cover over, stop up, obstruct or divert any stream or water-course, within the city except in accordance with plans and sections to be submitted to and approved by the Corporation, such approval not to be unreasonably withheld or delayed, and any person acting in contravention of this section shall be liable to a penalty not

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exceeding five pounds and to a daily penalty not exceeding twenty shillings:

Provided that—

(*a*) No requirement of the Corporation in relation to such plans and sections shall operate to compel any such owner to receive upon his land or to make provision for the passage of a greater quantity of water than he would have been obliged to receive or to permit to pass if this section had not been enacted;

(*b*) If with the consent of such owner the Corporation shall require him to make provision for the passage of a larger quantity of water than he is obliged to permit to pass at the time of the commencement of any work under this section any additional cost occasioned by such requirement shall be borne by the Corporation.

(2) If any difference shall arise between the Corporation and such owner as to the expediency or necessity of the works required by the Corporation to be executed under this section such difference shall be referred to and determined by an arbitrator to be agreed upon or, in case of difference, to be appointed at the instance of either party by the Ministry of Home Affairs, and the expenses of such arbitration shall be defrayed as the arbitrator may direct and the award of the arbitrator may be made a rule of Court on the application of either party under and in accordance with the Common Law Procedure Amendment Act (Ireland), 1856, or any statutory modification thereof.

(3) This section shall not apply to the culverting, covering over, stopping up, obstruction or diversion of any stream or watercourse by the Belfast Harbour Commissioners or by any railway company in the course of carrying out any work of maintenance, reconstruction or alteration in connection with their respective undertakings.

Taking down and removal of dangerous trees, etc.

63.—(1) If it shall appear to the Surveyor that any tree or branch of a tree on lands abutting upon any street in the City is likely to fall on or over such street or is for any other reason a danger to persons using such street he may give notice in writing to the owner or occupier of such lands requiring him within seven days

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(or such longer period as the Surveyor shall specify) after the service of such notice upon him to take down such tree or branch of a tree and if the person served with such notice fails to comply with the requirements thereof he shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings and the Corporation may whether or not proceedings for the recovery of any such penalties have been instituted cause such tree or branch of a tree to be taken down and all expenses incurred by the Corporation in so doing shall be paid by the person served with such notice as aforesaid but without prejudice to any right he may have to recover the same from any third party.

(2) Any person aggrieved by a notice given to him by the surveyor under sub-section (1) of this section may appeal to a court of summary jurisdiction within four days after the service of notice as aforesaid, and the following provisions shall have effect with respect to any such appeal:—

(*a*) Notice in writing of the appeal and of the grounds thereof shall be given by the appellant to the town clerk;

(*b*) The court may make such order in the matter as they consider reasonable and may award costs to be recoverable as costs in cases of a civil nature are recoverable under section twenty-two of the Petty Sessions (Ireland) Act, 1851;

(*c*) No proceeding shall be taken by the Corporation or work executed until after the determination or abandonment of the appeal;

(*d*) Notice of the right of appeal shall be endorsed on any notice given by the surveyor under the provisions of sub-section (1) of this section.

(3) Where a tree, branch of a tree, fence, wall, hoarding or other structure growing or situate on lands adjoining a street in the City is blown down or falls from any other cause upon or over such street so as to be a danger or obstruction to vehicular or pedestrian traffic the Corporation may without giving notice to the owner or occupier of such lands or any other person remove such tree, branch, fence, wall, hoarding or other structure and recover the cost of so doing from the owner or occupier of such lands.

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(4) Any materials removed by the Corporation under the powers conferred by this section may be placed upon the lands from which they were blown down or fell.

Powers as to use, letting, etc., of swimming baths and bathing places.

64.—(1) The Corporation may close to the public and may reserve the exclusive use of any swimming bath or open bathing place belonging to them and may grant the use thereof to any company, body, club, association or person either gratuitously or for payment for swimming contests, practices, aquatic exercises or for any other entertainments or exhibitions or for meetings and may demand and take or authorise to be demanded and taken at the door or entrance of such swimming bath or open bathing place such sum or sums for the exclusive use of such bath or place or for admission of persons thereto as they may think fit.

(2) The Corporation may at such times and for such periods as they may think fit close and cover over any swimming bath belonging to them and may use or from time to time let the same for meetings, concerts and entertainments or for any other purposes free from any restriction contained in the Baths and Wash-houses (Ireland) Act, 1846, and may demand and take or authorise to be demanded and taken at the door or entrance of any such swimming bath so closed and covered over such sum or sums for the admission of persons thereto as they may think fit.

(3) The Corporation in exercising the powers conferred by sub-sections (1) and (2) of this section shall have regard to the reasonable requirements of the public in respect of any such swimming bath or open bathing place.

(4) The Corporation may provide and maintain gymnastic equipment and appliances for use in the premises of any swimming bath or open bathing place belonging to them and may employ such person or persons to give instruction in or to superintend the use of such equipment and appliances as may be necessary or desirable.

(5) Any expenses incurred by the Corporation in the execution of the powers conferred by this section shall be paid as part of the expenses of the Corporation in the execution of the Baths and Washhouses (Ireland) Act, 1846.

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Alteration of limitation on rate for the purpose of parks.

65. After the passing of this Act the proviso to section 7 of the Public Parks (Ireland) Act, 1869, providing for a limitation on any rate made under the authority thereof of threepence in the pound shall in the case of any such rate made by the Corporation be read and construed as if the word "fourpence" were substituted for the word "threepence" as it occurs therein.

Power to pay expenses of public ceremonies, etc.

66. The Corporation may pay out of the City Fund or the Consolidated Rate the reasonable expenses of the Corporation in providing public entertainments on the occasion of or otherwise in connection with public ceremony or rejoicing and in the reception and entertainment of distinguished persons residing in or visiting the City.

Discounts on moneys due for supply of electrical energy.

67. The Corporation may if they think fit make an allowance by way of discount not exceeding the rate of ten pounds per centum on all sums of money due to the Corporation for the supply of Electrical energy from any person who pays the same within such time of the demand thereof as the Corporation think fit to prescribe in that behalf, and notice to this effect shall be endorsed on every demand note in respect of such charges, provided that the Corporation shall make the same allowance to all consumers under similar circumstances.

Sale of electric wiring installations and fittings.

68.—(1) Subject to the provisions of this section the Corporation may sell—

(*a*) Electric wiring installations; and

(*b*) Electric fittings, apparatus and appliances (other than electric wiring installations) for lighting, heating and motive power, and for all other purposes for which electricity can or may be used (in this section called "electric fittings");

and may install, connect, repair, maintain and remove the same, and with respect thereto may demand and take such remuneration or rents and charges, and may make such terms and conditions as may be agreed upon.

(2) The exercise of the powers of this section shall be subject to the following restrictions:—

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(*a*) The Corporation shall not manufacture electric fittings or the component parts of any electric wiring installation;

(*b*) The Corporation shall not sell electric wiring installations or electric fittings except to a consumer or to a person who intends to be a consumer of electricity supplied by them;

(*c*) The Corporation shall not sell any electric wiring installation except under a contract providing for the payment of the price thereof by instalments;

(*d*) The Corporation shall not sell electric fittings except for use on an electric wiring installation the whole or portion of the price of which remains to be paid to the Corporation in accordance with the terms of any such contract as aforesaid.

(3) The Corporation may borrow for the purposes of this section in like manner as they may borrow money for the purposes of the electricity undertaking.

(4) In this section the expression "electric wiring installation" means a system of electric lines, switches, fuse boxes and other apparatus necessary or proper for conveying electricity from the service fuses of the Corporation to any point or points in or upon a private residence at which electricity may be used for heating, lighting, motive power or any other purpose, and includes a portion of any such system.

Power to purchase band instruments.

69.—(1) The Corporation may at any time within three years from the passing of this Act purchase a complete set of military band instruments and may thereafter maintain and keep in repair and whenever necessary replace such instruments and may permit the same to be used by any band or body of persons on such terms and conditions as the Corporation may think fit.

(2) The expenses incurred by the Corporation under the provisions of this section may notwithstanding anything in any enactment be defrayed out of the City Fund or the Consolidated Rate.

Power to make By-laws.

70.—(1) The Corporation may from time to time make By-laws for all or any of the following purposes (that is to say):—

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(*a*) For prescribing the streets of the City along which and the hours during which cattle may not be led or driven ;

(*b*) For prescribing the routes to be followed in leading or driving cattle from one part of the City to another ;

(*c*) For regulating generally the passage of cattle led or driven through the City ;

(*d*) For regulating and governing street trading within the City ;

(*e*) For prohibiting such street trading in such street or streets or such area or areas within the City as the Corporation may from time to time determine ;

(*f*) For fixing the days and hours during which such street trading may be carried on ;

(*g*) For regulating and governing generally the conduct of street traders in the City.

(2) In making by-laws under paragraphs (*a*), (*b*) and (*c*) of sub-section (1) of this section the Corporation shall allow such facilities for the passage of cattle to any abattoir of the Corporation and to and from any railway station, landing wharf, sale yard or market in the City as shall be reasonable having regard to all the circumstances including traffic conditions and requirements.

Offences.

71.—(1) Every person shall be liable to a penalty not exceeding forty shillings who shall commit any of the following offences, that is to say :—

(*a*) Every person who shall so load a vehicle or cause a vehicle to be so loaded or drive a vehicle so loaded that the material carried thereby or any portion of such material shall spill or fall off and by so doing soil or render unsightly or obstruct any street within the City ;

(*b*) Every person who without the consent of the Corporation shall fix or place any posting bill, notice, advertisement or paper upon or against any lamp post, tramway standard, electricity box or footway in any street in the City or who without such consent as aforesaid shall write upon or otherwise mark any part of any such street with chalk or paint or other material.

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(2) It shall be a good defence to any prosecution under paragraph (*a*) of sub-section (1) of this section that all reasonable precautions were taken in the loading of the vehicle concerned to prevent the spilling or falling off of any of the material carried thereby.

Incorporation of Sections of Act of 1923.

72. Subject to the provisions of this Act, the following Sections of the Act of 1923 shall, with all necessary modifications, extend and apply to the exercise of the powers of this Act as if those Sections had been re-eneacted in this Act, namely:—

Section 60 (Confirmation of By-laws);
Section 63 (Inquiries by Ministry of Home Affairs);
Section 65 (Compensation how to be determined);
Section 67 (Application of Section 264 of the Public Health (Ireland) Act, 1878;
Section 69 (Recovery of Penalties, etc.);
Section 70 (Damages and charges to be settled by Court);
Section 74 (Judges not disqualified); and
Section 75 (Powers of Act cumulative).

For protection of Belfast Harbour Commissioners.

73. Nothing in this Act contained shall take away or lessen or be taken or construed to take away, lessen or affect any estate or interest or any powers, rights, benefits, advantages, privileges, exemptions or authorities of the Belfast Harbour Commissioners now vested in them as such Commissioners save in so far as the said Commissioners shall expressly consent in writing.

Works below high-water mark not to be constructed without consent of Ministry of Commerce and of Board of Trade.

74. The Corporation shall not under the powers of this Act construct on, under or over the shore or bed of the sea or of any creek, bay, arm of the sea or navigable river communicating therewith below high water mark of ordinary spring tides any work without the previous consent of the Ministry of Commerce and the Board of Trade to be signified in writing under the hand of the Secretary or Assistant Secretary of the Ministry of Commerce and the hand of one of the Secretaries or Assistant Secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the said Ministry and the said Board may approve of in writing under hand as last aforesaid and where any such work may have been constructed the

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Corporation shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced, altered, extended or completed contrary to the provisions of this section the Ministry of Commerce or the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost and charge of the Corporation and the amount of such costs and charges shall be a debt due from the Corporation to the Ministry of Commerce or to the Crown as the case maybe and shall be recoverable either as a debt due to the Crown or by the Ministry of Commerce or the Board of Trade as a civil debt.

Crown rights.

75. Nothing in this Act affects prejudicially any estate, right, power, privilege or exemption of the Crown and in particular nothing herein contained authorises the Corporation to take, use or in any manner interfere with any portion of the shore or bed of the sea or of any river, channel, creek, bay or estuary or any land, hereditaments, subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose.

Costs of Act.

76. All the costs, charges and expenses preliminary to and of and incidental to the preparing, applying for, obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Corporation out of the City fund and consolidated rate.

The SCHEDULE referred to in the foregoing Act.

Session and Chapter.	Description or Short Title.
8 & 9 Vict. cap. cxlii.	An Act for the Improvement of the Borough of Belfast (1845).
9 & 10 Vict. cap. ccxciv.	An Act for better Lighting and Improving the Borough of Belfast (1846).
10 & 11 Vict. cap. cclv.	An Act for the further Improvement of the Borough of Belfast (1847).

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THE SCHEDULE—*continued.*

Session and Chapter.	Description or Short Title.
13 & 14 Vict. cap. cviii.	The Belfast Improvement Act 1850.
16 & 17 Vict. cap. cxiv.	The Belfast Borough Extension Act 1853.
27 & 28 Vict. cap. cxcviii.	The Belfast Award Act 1864.
28 & 29 Vict. cap. clxxxiii.	The County Antrim and Belfast Borough Act 1865.
29 & 30 Vict. cap. cxiii.	The Belfast Burial Ground Act 1866.
31 & 32 Vict. cap. cxvii.	The Belfast Borough Act 1868.
36 & 37 Vict. ch. cxcix.	The Local Government Board (Ireland) Provisional Order (Belfast) Confirmation Act 1873.
37 & 38 Vict. ch. cxxv.	The Belfast Corporation Gas Act 1874.
40 & 41 Vict. ch. cxxii.	The Local Government Board (Ireland) Provisional Orders (Artisans and Labourers Dwellings) Confirmation Act 1877 (Borough of Belfast Order).
41 & 42 Vict. ch. clxxx.	The Belfast Improvement Act 1878.
47 & 48 Vict. ch. xciii.	The Belfast Improvement Act 1884.
50 Vict. Sess. II. ch. xxiii.	The Belfast Corporation (Lagan Bridge) Act 1887.
50 & 51 Vict. ch. cxviii.	The Municipal Corporation of Belfast Act 1887.
50 & 51 Vict. ch. cxxvii.	The Belfast Main Drainage Act 1887.
52 x 53 Vict. ch. xlii.	The Belfast Corporation Act 1889.
53 & 54 Vict. ch. cv.	The Belfast Corporation (Various Powers) Act 1890.
53 & 54 Vict. ch. cxli.	The Belfast Parliamentary Borough Registration Act 1890.
53 & 54 Vict. ch. cxcii.	The Electric Lighting Orders Confirmation (No. 7) Act 1890 (Belfast Electric Lighting Order 1890).
54 & 55 Vict. ch. lvii.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1891 (Local Government Board (Ireland) Provisional Order Belfast Streets Improvement 1891).
54 & 55 Vict. ch. cxliv.	The Municipal Registration (Dublin and Belfast) Act 1891.
55 & 56 Vict. ch. ccx.	The Local Government Board (Ireland) Provisional Order (Confirmation (No. 3) Act 1892.
55 & 56 Vict. ch. ccxxxi.	The Belfast District (Lunatic Asylums &c.) Act 1892.
59 & 60 Vict. ch. ccxlvi.	The Belfast Corporation Act 1896.
60 & 61 Vict. ch. lxxxvi.	The Local Government Board (Ireland) Provisional Order Confirmation (No. 7) Act 1897.
61 & 62 Vict. ch. xliii.	The Local Government Board (Ireland) Provisional Order Confirmation (No. 4) Act 1898.

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THE SCHEDULE—*continued.* A.D. 1930.

Session and Chapter.	Description or Short Title.
61 & 62 Vict. ch. liii.	The City of Belfast (Hospitals) Act 1898.
62 & 63 Vict. ch. ccxlvi.	The Belfast Corporation Act 1899.
63 & 64 Vict. ch. ccv.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 4) Act 1900 (Belfast Port Sanitary Authority Provisional Order 1900).
2 Edw. VII. ch. cix.	The Belfast Corporation Act 1902.
4 Edw. VII. ch. ccxxix.	The Belfast Corporation (Tramways) Act 1904.
5 Edw. VII. ch. cxxiii.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 2) Act 1905 (The Belfast Order 1905).
8 Edw. VII. ch. cxxvi.	The Local Government Board (Ireland) Provisional Orders Confirmation (No. 3) Act 1908 (Belfast Order 1908).
10 Edw. VII. and 1 Geo. V. ch. xlv.	The Belfast Corporation (Tramways) Act 1910.
1 & 2 Geo. V. ch. cxc.	The Belfast Corporation Act 1911.
2 & 3 Geo. V. ch. ix.	The Belfast Corporation Act 1912.
3 & 4 Geo. V. ch. c.	The Belfast Corporation Act 1913.
4 & 5 Geo. V. ch. xxxviii.	The Belfast Corporation Act 1914.
11& 12 Geo. V. ch. lxv.	The Local Government Board (Ireland) Provisional Orders Confirmation Act 1921.
13 & 14 Geo. V. ch. iv.	The Belfast Corporation Act (Northern Ireland) 1923.
14 & 15 Geo. V. ch. iv.	The Belfast Corporation Act (Northern Ireland) 1924.
15 & 16 Geo. V. ch. iii.	The Belfast Corporation Act (Northern Ireland) 1925.
18 & 19 Geo. V. ch. i.	The Belfast Corporation Act (Northern Ireland), 1928.

CHAPTER iii.

An Act to extend the boundaries of the Larne Urban District, to authorize the acquisition of markets, to make further provision as to collection of rates, to make further provision for the improvement and good government of the said district, and for other purposes.

[25th November, 1930.]

WHEREAS the town of Larne is an Urban District subject to the Acts relating to such districts in

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Northern Ireland and the Urban District Council of Larne (in this Act called the Council) is the Urban Sanitary Authority for the said District:

And whereas it is expedient that the area of the existing Urban District should be increased by extending the limits thereof as set out in the First Schedule to this Act:

And whereas it is expedient that the Council should be empowered to acquire compulsorily and to hold and deal with the markets at present existing in the Urban District:

And whereas plans showing the lands which may be acquired under the powers of this Act and a Book of Reference to those plans containing the name or names of the owners or reputed owners lessees or reputed lessees and of the occupiers of, and describing such lands have been deposited with the Clerk of the Peace for the County of Antrim and are in this Act referred to as the deposited plans and Book of Reference:

And whereas it is expedient that the owner instead of the occupier should be liable for and rated to the Poor Rate and The Consolidated Town Rate in respect of the hereditaments specified in this Act:

And whereas it is expedient that the powers of the Council conferred by Section 76 of The Public Health Act 1907 with respect to Public Parks or Pleasure Grounds should be increased:

And whereas an estimate has been prepared by the Council of the cost of the purchase of the lands proposed to be acquired under the powers of this Act and such estimate is the sum of £3,500:

And whereas it is expedient that further powers should be conferred upon the Council with respect to Public Health and Sanitary matters and for the good government and management of the District:

And whereas it is expedient that the other provisions in this Act contained should be enacted:

And whereas the objects aforesaid cannot be obtained without the authority of Parliament;

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And whereas in relation to this Act the requirements of the Borough Funds Acts (Northern Ireland) 1888 and 1928 have been observed.

MAY IT THEREFORE PLEASE YOUR MAJESTY, That it may be enacted and be it enacted by the King's Most Excellent Majesty by and with the advice and consent of the Senate and the House of Commons of Northern Ireland in this present Parliament assembled and by the authority of the same as follows That is to say:

PART I.

Preliminary.

Short title.

1. This Act may be cited as "The Larne Urban District Council Act (Northern Ireland) 1930."

Act divided into parts.

2. This Act is divided into parts as follows:

Part 1. Preliminary.
Part 2. Extension of Boundaries.
Part 3. Acquisition of Markets.
Part 4. Provisions as to Rates.
Part 5. Liability of Owner for Rates in certain cases.
Part 6. Public Parks and Pleasure Grounds.
Part 7. Miscellaneous Sanitary Provisions.
Part 8. Streets.
Part 9. Water.
Part 10. Buildings.
Part 11. Miscellaneous.

Incorporation of Lands Clauses Acts.

3. The Lands Clauses Acts so far as the same are respectively applicable for the purposes of and not varied by or inconsistent with this Act are hereby incorporated with this Act provided that for the purposes of such incorporation the Railways Act (Ireland) 1851 and the Acts amending the same shall be read and have effect as if the Council were a Railway Company and the lands by this Act authorized to be acquired were required for the purposes of a railway.

Interpretation.

4. In this Act Terms to which meanings are assigned by the Lands Clauses Acts or by the Public Health Acts

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have the same respective meanings unless there be something in the subject or context repugnant to such construction, in this Act unless otherwise expressly provided or the context otherwise requires.

The Urban District means the "Urban District of Larne" as constituted for the time being.

The Council means the "Larne Urban District Council."

The Public Health Acts mean "The Public Health (Ireland) Act 1878" and any Act or Acts amending the same.

"The Ministry of Home Affairs" means the Ministry of Home Affairs for Northern Ireland.

"Consolidated Town Rate" means the general consolidated town rate raised by the Council under the Powers of the Towns Improvement (Ireland) Act 1854 and the Public Health (Ireland) Act 1878 as extended by any other Acts, the water rate raised by the Council under the powers of the Public Health (Ireland) Act 1878 as extended by any other Act and the rate raised by the Council under the Powers of the Public Libraries (Ireland) Acts 1855 to 1920.

"The Town Surveyor" means the Surveyor for the time being of the Urban District and includes the person who shall be at any time performing the duties of this office.

"The Added Area" means the lands described in the Schedule to this Act.

"The Urban District Plan" means the plan of the Urban District signed in duplicate by the Chairman of the Joint Committee of the Senate and House of Commons to whom the Bill for this Act was referred.

"Owner" means any person for the time being receiving from the occupier the rent of the lands or premises in connection with which the word is used whether on his own account or as agent or trustee for any other person or who would so receive that rent if the lands or premises were let at a rent.

"Streets" includes any road esplanade promenade or parade.

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PART II.

Extension of Boundaries.

Extension of Boundary of the Urban District.

5. From and after the commencement of this Act the boundaries of the Urban District shall be extended as set forth in the Schedule to this Act. The boundaries as extended by this Act are delineated upon the Urban District plan, and if there be any discrepancy between the Urban district plan and the description of the boundaries in the Schedule to this Act the description shall prevail. The added area shall form part of the Urban District.

(*a*) For the purposes of the Registration (Ireland) Act 1898 the representation of the People Acts (Northern Ireland) 1918 to 1929 and Amending Acts and any rules made thereunder from the 1st day of January 1931

(*b*) For the purposes of the election of Urban District Councillors for the said Urban District Council and ceasing to elect Rural District Councillors from the 1st day of January 1931.

(*c*) For the purposes of rating and for all other purposes from the 1st day of April 1931.

6. The lands and buildings lying east of the Glenarm Road shall form part of Curran Ward. The lands and buildings lying between the Glenarm Road and Cairncastle Road shall form part of Townparks Ward. The lands and buildings lying west of Cairncastle Road and north of Ballymena Road shall form part of Gardenmore Ward, and the lands and buildings lying between Ballymena Road and Inver River shall form part of Central Ward, and the lands and buildings lying south-east of Inver River in the townland of Inver shall form part of Inver Ward.

7. Except as by this Act otherwise expressly provided all the jurisdiction powers rights authorities privileges and duties of the Council of the existing district shall extend to and throughout the added area and all enactments bye-laws orders and regulations at the commencement of this Act in force within and applicable to the existing district shall, subject to the provisions of this Act, extend and apply to the added area.

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8. From and after the commencement of this Act the jurisdiction powers authorities rights privileges of all officers and magistrates appointed for the existing district shall extend to and throughout the added area.

9. For the purpose of any adjustment which may be required by reason of this Act in respect of subsidies paid by the Larne Rural District Council pursuant to the provisions of The Housing Acts (Northern Ireland) 1890 to 1930 Article 30 of the Schedule to the Local Government (Application of Enactments) Order 1898 shall apply with the modification that where and so far as such adjustment is not or cannot be made under that Article by Agreement between the Authorities interested the Ministry of Home Affairs may on the application of any such authority make such adjustment as shall appear to the Ministry to be requisite and proper and such adjustment made by the Ministry shall have full force and effect notwithstanding any provisions to the contrary contained in Section 71 of the Local Government (Ireland) Act 1898 or any enactment amending that Section.

PART III.

Acquisition of Markets.

Power to purchase compulsorily lands and premises of Larne Markets Company, Ltd.

10. The Council may acquire by compulsion or otherwise for the purpose of this Act the lands and premises and undertakings of the Larne Markets Company Limited and all estates and interest therein of what kind soever which said lands and premises are delineated on the Deposited Plans and described in the deposited Book of Reference.

Application of Section 103 of the Public Health (Ireland) Act, 1878.

11. Upon the acquisition by the Council of the aforesaid lands and premises Section 103 of the Public Health (Ireland) Act 1878 shall apply save that it shall not be necessary for the Council to hold the meeting of its members by the said section prescribed.

Limitation time for compulsory purchase of lands.

12. The powers of the Council for the compulsory purchase of lands under this part of this Act shall not be exercisable after three years from the passing of this Act.

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PART IV.

Provisions as to Rates.

Consolidation of Rates.

13. The Poor Rate and the Consolidated Town Rate may be demanded together in one Demand Note and shall be recoverable in one sum and all the enactments relating to the recovery of the Poor Rate which are in force at the commencement of this Act shall subject to the provisions of this Act apply to the recovery of the Consolidated Town Rate. Every Demand Note shall specify the amount in the pound required for the Poor Rate and the Consolidated Town Rate respectively.

The Council to have power to apportion rates when the occupier vacates the rated premises before the end of the rating period.

14.—(1) When after the passing of this Act the Poor Rate and Consolidated Town Rate shall have been made for a particular period and the occupier who shall be rated thereto shall cease to be the occupier of the premises in respect whereof he shall be rated before the end of such period such person in case he shall have paid such rate before he ceased to be occupier shall be entitled to recover back from the Council a portion of the rate so paid proportioned to the part of such period during which he shall cease to be such occupier and in case such rate shall be in arrear and unpaid at the time he shall cease to be such occupier the Council shall recover from him a portion only of such rate proportioned to the part of such period during which his occupation continued, provided always that no allowance shall be made for a fractional part of a quarter of a year and if any person shall become the occupier of any property so rated as aforesaid during any part of any period for which any rate shall have been made such person shall pay a portion of such rate proportioned to the time during which he shall have held or occupied the property so rated and any portion of any such rate which shall so become payable shall and may be collected and levied sued for and recovered by such and the same ways and means as the whole of such rate might have been collected levied sued for and recovered if this act had not passed.

(2) This section shall not apply to any rate made by the Council under the provisions of section 229 (Power to make private improvement rates) of the Public Health (Ireland) Act 1878.

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PART V.

Liability of Owners for Rates in certain cases.

Date of commencement of this part of the Act.

15. This part of this Act shall come into operation on the 1st day of April, One thousand nine hundred and thirty-one.

Owner of hereditaments of net annual value not exceeding £8 may be rated instead of the occupier.

16.—(1) The owner instead of the occupier shall be liable for and rated to the Poor rate and the Consolidated Town rate in respect of any property of which the Net Annual Value under the Irish Valuation Acts does not exceed eight pounds and the provisions of section fifty-two of the Local Government (Ireland) Act 1898 shall in their application to the Poor Rate be modified accordingly.

(2) The Council shall allow to each owner who pays the said rates in pursuance of this section within one month after service of the notice demanding payment of said rates such deduction or allowance as the Council may deem reasonable not exceeding ten per cent. and not being less than two and one half per cent. of the amount of the rates so paid.

(3) Whenever the name of any owner liable to be rated under the provisions of this section is unknown it shall be sufficient to rate such owner in the rate book of the Council as the owner of the property to be rated by the description of owner without stating his name and any notice demand note or other document required or authorised to be sent or served concerning the rates payable in respect of the said property may be addressed to "The Owner" of the premises (naming the premises) without further name or description and if after due inquiries have been made the name and address of such owner cannot be discovered may be sent or served by delivering it to some person on the premises or by fixing it on some conspicuous part of the premises.

(*a*) When any owner is rated in pursuance of the provisions of sub-section (1) of this section in respect of any property in the occupation of any tenant under any contract of tenancy made prior to the passing of this Act such tenant shall repay to the owner all sums paid by the owner during the continuance of such

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tenancy on account of the Poor Rate or the Consolidated Town Rate which would but for this Act have been payable by the tenant under such contract of tenancy.

(*b*) Where any owner is rated in pursuance of the provisions of sub-section (1) of this section in respect of any property in the occupation of any tenant under any contract of tenancy made after the passing of this Act and pays any sum in respect of Poor Rate or Consolidated Town Rate which under such contract of tenancy as between the owner and the tenant the tenant is liable to pay such tenant shall pay to the owner the amount of every rate so paid.

(*c*) Every sum payable by the tenant to the owner by virtue of this sub-section may be recovered if not paid upon demand as arrears of rent could be recovered from the tenant by the owner.

(*d*) If under the terms of any contract of tenancy made after the passing of this Act for the letting of any premises to which sub-section (1) of this section applies the sum made payable under such contract is inclusive as between landlord and tenant of all sums payable for rates and after the date of such contract the amount of the rates payable in respect of such premises is increased or reduced the sum so made payable as rent shall be increased or reduced as the case may be by the amount of every such increase or reduction in the sum payable by the landlord for rates in respect of such premises and attributable to the period during which such rent accrued and where any such rent is made payable for a period or periods of less than one year the proper proportion of such increase or reduction shall be paid or allowed as the case may require on the occasion of each payment of rent. Any such increased or reduced rent shall be recoverable in the same manner as the rent reserved by the contract of tenancy. Provided that for the purposes of the summary recovery of posses-

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sion of any such premises under the provisions of section fifteen of the Summary Jurisdiction (Ireland) Act 1851 the amount of the rent shall be deemed to be the amount computed by deducting the amount of the rates from the total sum payable in respect of rent.

(*e*) In every contract of tenancy made after the passing of this Act in respect of any premises to which sub-section (1) of this section applies any rent thereby reserved shall be deemed to be inclusive of rates unless a contrary intention shall appear from such contract.

PART VI.

Public Parks and Pleasure Grounds.

Additional powers of Council with respect to public parks and pleasure grounds.

17.—(1) The following powers shall be added to the powers conferred upon the Council by section seventy-six of the Public Health Acts Amendment Act, 1907 (in this section called "the principal section"), with respect to any public park or pleasure ground provided by them or under their management and control namely, powers—

(*a*) to provide or contribute towards the expenses of any sports amusements or other entertainments given in the park or grounds:

(*b*) to provide or arrange for the sale of refreshments in the park or ground for such periods or occasions and upon such terms and conditions as the Council may think fit;

(*c*) to enclose for the purpose of entertainments, any part of the park or grounds not exceeding one acre or one tenth of the area of the park or ground whichever is the greater; and

(*d*) to charge for admission to any entertainments provided by themselves or to let the part of the park or ground so enclosed to any person for the purpose of providing the same and to authorize that person to charge for admission thereto.

(2) Any part of the park or ground enclosed under paragraph (*e*) of sub-section (1) of the principal section for the purposes of bands of music may be used for any of the purposes of concerts or other entertainments.

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(3) Any expenditure of the Council in the exercise of their powers to provide or contribute to a band under sub-section (1) of the principal section and any expenditure of the Council in the exercise of their powers under sub-section (1) of this section shall not when added together exceed in any one year an amount equal to that which would be produced by a rate of one penny in the pound on the property liable to be assessed for the purpose of the rate out of which the expense of the park or ground are payable as assessed for the time being for the purposes of that rate or such higher rate not exceeding twopence in the pound as may be approved by the Ministry of Home Affairs and sub-section (3) of the principal section shall cease to have effect.

(4) In the foregoing provision of this section the expression "expenditure" means net expenditure after allowing for the receipts arising from the exercise of the power to provide or contribute to a band or of the powers conferred by sub-section (1) of this section.

(5) When any part of the park or ground has been set apart by the Council for the purposes of cricket football or any other game or recreation, under paragraph (*b*) of sub-section (1) of the principal section the Council may charge reasonable sums for the use thereof for that purpose.

(6) Part VI of the Public Health Acts Amendment Act 1907 shall have effect as if the powers given to the Council by this section were included amongst the powers given to the Council by the principal section.

Bye-laws.

18. The Council may make bye-laws for securing good and orderly conduct during any entertainment or amusement provided or carried on in pursuance of the provisions of this Part of this Act.

Part VII.

Miscellaneous Sanitary Provisions.

Extension of the application of Section 51 of the Public Health (Ireland) Act 1878.

19.—(1) Where two or more houses or premises are connected with a single private drain which conveys their drainage into a public sewer or into a cesspool or other receptacle for drainage the Council shall have all the powers conferred by section 51 of the Public Health (Ireland) Act 1878 and the Council may recover any

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expenses incurred by them in executing any works under the powers conferred on them by that section from the owners of the houses in such proportion as shall be settled by the surveyor or (in case of dispute), by arbitration under the Public Health (Ireland) Act 1878 or by a court of summary jurisdiction and such expenses shall be recoverable summarily as a civil debt or the Council may declare them to be private improvement expenses and may recover them accordingly.

(2) Section 19 of the Public Health Acts Amendment Act, 1890, shall cease to be in force within the district.

(3) For the purposes of this section the expression "Drain" includes a drain used for the drainage of more than one building whether owned or occupied by the same person or not.

Power to Council to order two or more houses to be drained by a combined drain.

20.—(1) If it appears to the Council that two or more houses may be drained more economically or advantageously in combination than separately and a sewer of sufficient size already exists or is about to be constructed within one hundred feet of any part of the premises the Council may when the drains of such houses are first laid order that such houses be drained by a combined drain to be constructed either by the Council if they so decide or by the owners in such manner as the Council shall direct. If the Council construct such drain the costs and expenses of the construction thereof and the costs and expenses of any subsequent repair or maintenance thereof shall be apportioned between the owners of such houses by the surveyor or (in case of dispute) by arbitration under the Public Health (Ireland) Act, 1878 or by a Court of summary jurisdiction, and such expenses shall be recoverable summarily as a Civil Debt or the Council may declare them to be private improvement expenses and may recover them accordingly.

(2) Any combined drain constructed in pursuance of this section shall for the purposes of the Public Health Acts be deemed to be a drain and not a sewer.

(3) Provided that the Council shall not exercise the powers conferred by this section in respect of any house plans for the drainage of which shall have been previously approved by them.

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Sewer Communications to be made by the Council.

21. If the owner or occupier of any premises within the district desires that the sewer or drain from such premises shall be made to communicate with any sewer of the Council such communication shall be made by the Council upon the cost or estimated cost of making the communication being paid to the Council or the payment thereof to them being secured to their satisfaction and the Council may execute all works necessary for that purpose.

Power to take up and relay drains in any street or road.

22. The Council may on the application and at the expense of any person owning or occupying premises abutting or fronting on any street (not being a street in charge of or maintainable wholly or partly by or at the expense of the Council) wherein a sewer has been laid down take up alter relay or renew in across or along such street such drains as may be requisite or proper for connecting such premises with the sewer doing as little damage as may be in the execution of the powers hereby granted and making compensation for any damage which may be done in the execution of such powers such compensation in case of dispute to be ascertained by and recovered before a court of summary jurisdiction.

Notice of intention to repair drain to be given to Council.

23.—(1) It shall not be lawful for any person except in case of emergency to reconstruct repair or alter the course of any drain which communicates with a sewer or cesspool or any other receptacle for drainage without giving to the Council at least twenty-four hours' previous notice in writing of his intention so to do.

(2) Where any such works are executed without notice in a case of emergency it shall not be lawful for any person to cover over the drain without giving to the Council at least twenty-four hours' previous notice in writing of his intention so to do.

(3) Free access to the drain or the work of reconstruction or alteration shall be afforded to the surveyor or sanitary inspector or any officer of the Council authorised in writing by the Council for the purpose of inspection.

(4) Any person who contravenes or fails to comply with the requirements of this section shall for each offence be liable to a penalty not exceeding £5.

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(5) Nothing in this section shall extend to any drain constructed by or belonging to or which may hereafter be constructed by or belong to a railway company and situate under across or along their railway.

(6) Nothing in this section shall extend to any drain which is vested in the Owners, trustees or conservators acting under powers conferred by Parliament of any dock or harbour.

Penalty when water-closet drain or sewer so constructed or repaired as to be a nuisance.

24. If a water-closet drain or soil pipe is so constructed or repaired as to be a nuisance or injurious or dangerous to health the person who undertook or executed such construction or repair shall unless he shows that such construction or repair was not due to any wilful act neglect or default be liable to a penalty not exceeding twenty pounds. Provided that where a person is charged with an offence under this section he shall be entitled upon information duly laid by him to have any other person being his agent servant or workman whom he charges as the actual offender brought before the court at the time appointed for hearing the charge and if he proves to the satisfaction of the Court that he has used due diligence to prevent the commission of the offence and that the said other person committed the offence without his knowledge consent or connivance he shall be exempt from any penalty and the said other person may be summarily convicted of the offence.

Penalty if drains privies cause a nuisance or danger to health.

25. If any person causes any drain water-closet earth closet privy or ashpit to be a nuisance or injurious or dangerous to health by wilfully destroying or damaging the same or any water supply apparatus pipe or work connected therewith or by otherwise wilfully stopping up or wilfully interfering with or improperly using the same or any such water supply apparatus pipe or work he shall be liable to a penalty not exceeding five pounds Provided that nothing in this section shall prejudice any right which the owner or occupier of any premises aggrieved by any such act may have to recover compensation in respect of any damage suffered by him by reason of such act.

Waste gas and condensing water to be

26. All steam or waste gas ejected from any fixed engine or the boiler or condensers thereof and all condensing water above a temperature of one hundred and

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ten degrees Fahrenheit so ejected and all spent and ejected steam arising or produced in any trade business or manufacture shall be so discharged as not to be a nuisance to the public but nothing in this section shall apply to steam ejected from any locomotive boiler or engine now or hereafter belonging to any railway company. Any person who shall offend against this section shall be liable to a penalty not exceeding twenty pounds and to a daily penalty not exceeding forty shillings.

so discharged as not to be a nuisance.

Court may order occupier to permit owner to execute works required by the Council.

27. If the occupier of any house or part of a house shall prevent the owner thereof from carrying into effect any requirement of the Council under this Part of this Act then after notice of this provision shall have been given by the owner to the occupier any court of summary jurisdiction upon proof thereof may make an order in writing requiring the occupier to permit the owner to execute the works required by the Council to be done and if after the expiration of seven days from the service of such order the occupier shall continue to refuse to permit the owner to execute the said works he shall for every day during which he shall so continue to refuse be liable to a penalty not exceeding two pounds and during the continuance of his refusal the owner shall be discharged from any penalties to which he might otherwise have become liable by reason of his default in executing such works.

PART VIII.

Streets.

No building in any new street till whole length of street defined.

28.—(1) No person, except with the consent of the Council shall in any new street commence to erect any new building or to excavate for the foundation thereof until the whole length of the street shall have been defined by posts or in some other sufficient manner to indicate the approved line and level thereof.

(2) Any person who shall offend against this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

Conditions of approval of plans.

29. The Council may (if in the circumstances of the case they think it expedient so to do) make it a condition of approving the plans of any new street that such a

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street shall be so laid out and formed that the same shall not terminate with a dead-end or cul-de-sac and in any such case the street shall not be laid out and formed except in accordance with such condition unless the person laying out the street can show it would be unreasonable or impracticable for him to comply therewith and any person who shall offend against this enactment shall be liable to a penalty not exceeding ten pounds and to a daily penalty not exceeding forty shillings.

Continuation of street to be deemed a new street.

30. Every continuation of an existing street shall for the purposes of the Public Health Acts and of this Act and of any bye-laws made thereunder and for the time being in force within the district be deemed to be a new street.

Council may retain plans.

31. The Council may retain any drawings plans elevations sections specifications and written particulars descriptions or details deposited with the Council in pursuance of any enactment for the time being in force in the district or of any bye-law thereunder.

Byelaws not to apply to any Railway Company.

32. Nothing in this Part of this Act or in any bye-laws to be made thereunder shall apply to any building (not being a dwelling house) belonging to any railway company and used by such Company as a part or in connection with their railway.

PART IX.

Water.

Power to make additional charges for water.

33. When water supplied for domestic purposes is used for washing carriages or motor cars or for other purposes in premises where carriages or motor cars are kept the Council may if a hose pipe or other similar apparatus is used charge such additional sum not exceeding twenty shillings per annum as they may prescribe. Any sum charged under this section shall be recoverable in the same manner as water rates.

Communication pipes from Water main.

34. The Council shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate

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pipe be laid from the main pipe into each house supplied by them with water.

Notice of discontinuance of no effect unless in writing.

35. A Notice to the Council from a consumer for the discontinuance of a supply of water shall not be of any effect unless it be in writing signed by or on behalf of the consumer and be left at or sent by post to the office of the Council.

Power to make Byelaws.

36.—(1) The Council may make byelaws for the purpose of preventing the waste undue consumption misuse or contamination of water and may by such byelaws prescribe the size nature materials workmanship and strength and the mode of arrangement connection disconnection alteration and repair of pipes meters cocks ferrules valve soil pans water-closets baths cisterns and other apparatus (in this section referred to as "water fittings") to be used and forbid any arrangements and the use of any water fittings which may allow or tend to waste undue consumption misuse erroneous measurement or contamination.

(2) Such byelaws shall apply only in the case of premises to which the Council do in fact afford or are prepared on demand to afford a constant supply.

(3) In case of failure of any person to observe such byelaws as are for the time being in force the Council may if they think fit after twenty-four hours' notice in writing enter and by and under the direction of their duly authorised officer repair replace or alter any water fittings belonging to or used by such person and not being in accordance with the requirements of such byelaws and the expense of every such repair replacement or alteration shall be recoverable by the Council as the water rates in respect of the premises are recoverable.

Power to affix meters, etc., on service pipes.

37.—(1) Subject to the provisions of the Waterworks Clauses Act 1847 the Council may for the purpose of preventing and detecting waste affix and maintain meters and similar apparatus on the service pipes and mains of the Council and stopcocks in the pipes supplying houses with water and may insert in the roads or footways the necessary covers or boxes for giving access and protection thereto and may for that purpose stop or break

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up and interfere temporarily with public and private streets roads lanes footways sewers courts passages tramways gas or water pipes electric lines wires and apparatus.

(2) Provided that the Council shall not interfere with any electric lines wires or apparatus belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

(3) Provided also that the Council shall not interfere with any electric lines wires or apparatus belonging to or used by any company, body or person authorised by Parliament to supply electricity within the Urban District except in accordance with and subject to the provisions of the Special Act or Order authorising such supply.

Power of Council to enter upon premises and remove fittings belonging to the Council.

38. The Council by their agents or workmen after forty-eight hours' notice in writing under the hand of the clerk or some other officer of the Council to the occupier or if there is no occupier then to the owner or lessee of any house building or land in which any pipe meter or fitting belonging to the Council is laid or fixed and through or in which the supply of water is from any cause other than the default of the Council discontinued for the space of forty-eight hours may enter such house building or land between the hours of nine in the morning and four in the afternoon or at any other time with the authority in writing of a justice of the peace for the purpose of removing and may remove every such pipe meter and fitting repairing all damage caused by such entry or removal.

Notice to be given to Council before disconnection of water meter.

39. Before any person connects or disconnects any meter by means of which any water of the Council is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Council of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under the superintendence of any officer of or person authorised by the Council and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings.

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Council may execute repairs to prevent waste.

40. If it should appear to the Council that by reason of any injury to or defect in any communication pipe which the Council are not under obligation to maintain any waste of water or injury or risk of injury to person or property is caused or likely to be caused it shall be lawful for the Council to execute such repairs as they may think necessary or expedient in the circumstances of the case without being requested so to do and the expense incurred by the Council in executing such repairs shall be recoverable by the Council from the owner of the premises supplied or in cases where the communication pipe has been laid by and belongs to the occupier of such premises from the occupied Provider that except in case of emergency the Council shall not under the powers of this section enter into any house or private premises unless they shall have given to the owner of such house or premises not less than twenty-four hours' notice of their intention so to enter.

Expenses of maintenance and repair of pipe to be apportioned where several occupiers supplied by one common pipe.

41. When several houses or parts of houses in the occupation of several persons are supplied with water by one common pipe belonging to the several owners or occupiers of such houses or parts of houses the said several owners or occupiers shall be liable to contribute the amount of any expenses from time to time incurred by the Council in the maintenance and repair of such pipe and their respective proportions of contributions shall be settled by the surveyor or other officer duly authorised in that behalf by the Council.

This Act to apply to existing water undertaking of Council.

42. The provisions of this Act shall apply to the existing water undertaking of the Council which shall continue to be carried on by them under the powers of the Public Health Acts relating to water supply.

PART X.

Buildings.

Liability to build up flues and chimneys.

43.—(1) In case any building is at any time after the passing of this Act erected or raised to a greater height than the adjoining building and any flues or chimneys of such adjoining building are in the outer or party wall or against the building so erected or raised the person erecting or raising such building shall at his own expense

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build up those flues and chimneys so that the top thereof may be of the same height as the top of the chimneys of the building so erected or raised.

(2) Any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

PART XI.

Miscellaneous.

Chimney on fire.

44. If the chimney of any house or other building within the district is on fire the occupier of such house or building shall be liable to a penalty not exceeding ten shillings but if such occupier proves that he has incurred such penalty by reason of the neglect or wilful default of any other person he may recover summarily from such person the whole or any part of the penalty he may have incurred as occupier.

Persons injuring pavement, fences etc. to pay penalty and make compensation.

45. Any person who without the consent of the Council (or without due authority in that behalf) wilfully displaces or takes up or who injures the pavement stones materials fences or posts of or the trees in any street road or footpath under the control or management of the Council shall be liable to a penalty not exceeding five pounds and to a further penalty not exceeding five shillings for every square foot of pavement stones or other materials so displaced taken up or injured. He shall also be liable in the case of any injury to fences posts or trees to pay to the Council such amount of compensation as a court of summary jurisdiction may award.

Power to make bye-laws

46.—(1) It shall be lawful for the Council to make such bye-laws as to them shall seem meet for the good rule and government of the Urban District and for prevention and suppression of all nuisances as are not already punishable under any Act already in force throughout such Urban District.

(2) From and after the passing of this Act the powers of the County Council of the County of Antrim to make bye-laws in relation to the Urban District under Section 16 of the Local Government (Ireland) Act 1898 shall cease.

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Confirmation of bye-laws.

47. The provisions of Sections 219 to 223 of the Public Health (Ireland) Act 1878 shall apply to all bye-laws made by the Council under the powers of this Act.

Inquiries by Ministry of Home Affairs.

48.—(1) The Ministry of Home Affairs may direct any inquiries to be held by its inspectors which it may deem necessary in regard to the exercise of any powers conferred upon it by or the giving of any consents under this Act and the inspectors of the Ministry of Home Affairs shall for the purpose of any such inquiries have all such powers as they have for the purpose of inquiries directed by that Ministry under the Public Health (Ireland) Act 1878.

(2) The Council shall pay to the Ministry of Home Affairs any expenses incurred by it in relation to any inquiries referred to in this section including the expenses of any witnesses summoned by the inspector holding the inquiry and a sum to be fixed by the Ministry of Home Affairs not exceeding five guineas a day for the services of such inspector.

Expenses of execution of Act.

49. All expenses incurred by the Council in carrying into execution the provisions of this Act and not otherwise expressly provided for or for which such express provision is insufficient shall be defrayed as expenses under the Public Health (Ireland) Act 1878.

Application of Section 264 of Public Health (Ireland) Act 1878.

50. Section 264 (Protection of sanitary authority and their officers from personal liability) of the Public Health (Ireland) Act 1878 shall with any necessary modifications extend and apply to the purposes of this Act as if the same were re-enacted herein.

Authentication and service of notices.

51.—(1) Where any notice or demand under this Act requires authentication by the Council the signature of the Clerk or other duly authorised officer of the Council shall be sufficient authentication.

(2) Notices demand orders and other documents required or authorised to be served under this Act may be served in the same manner as notices under the Public Health (Ireland) Act 1878 are by Section 267 of that Act authorised to be served. Provided that in the case of any Company any such notice demand order or document

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shall be delivered or sent by post addressed to the secretary of the Company at their principal office or place of business.

Recovery of Penalties etc.

52. Save as otherwise by this Act expressly provided offences against this Act and penalties imposed or recoverable under this Act or by any bye-laws made in pursuance thereof may be prosecuted and recovered in a summary manner as provided for by Sections 249 and 250 of the Public Health (Ireland) Act 1878.

Penalties to be paid to Treasurer.

53. All penalties recovered under this Act or under any bye-law thereunder shall except in case of penalties recovered against the Council be paid to the treasurer and be by him carried to the credit of the district fund.

Recovery of demands under fifty pounds.

54. Proceedings for the recovery of any demand not exceeding fifty pounds made under the authority of this Act or any incorporated enactment whether provision is or is not made for the recovery in any specified court or manner may be taken in the county court.

As to appeal.

55. Any person deeming himself aggrieved by any order judgment determination or requirement or the withholding of any certificate licence or consent or approval of or by the Council or of or by any officer of Council or by any conviction or order made by a Court of summary jurisdiction under any provision of this Act may if no other mode of appeal is provided by this Act appeal to the next court of quarter sessions under and according to the provisions of Section 269 of the Public Health (Ireland) Act 1878.

Informations by whom to be laid.

56. Save as otherwise by this Act expressly provided all informations and complaints under or in respect of the breach of any of the provisions of this Act or any bye-law made thereunder may be laid and made by an officer of the Council authorised in that behalf or by the Clerk.

Saving for indictments.

57. Nothing in this Act shall protect any person from being proceeded against by way of indictment in respect of any matter by this Act made punishable on summary proceedings or shall relieve any person in respect

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of any such matter from any penal or other consequence to which he would have been liable if such matter had not been made punishable by this Act: Provided that no person shall be punished more than once for the same offence.

Judges not disqualified.

58. A Judge of any Court or a justice shall not be disqualified from acting in the execution of this Act by reason of his being liable to any rate.

Powers of Act cumulative.

59. All powers rights and remedies given to the Council by this Act shall (except where otherwise expressly provided) be deemed to be in addition to and not in derogation of any other powers rights or remedies conferred on them or on any Committee appointed by them by Act of Parliament charter law or custom and the Council or such Committee (as the case may be) may exercise such other powers and be entitled to such other rights and remedies as if this Act had not been passed: Provided that no person shall incur more than one penalty (other than a daily penalty for a continuing offence) for the commission of the same offence.

60. Nothing in this Act affects prejudicially any estate right power, privilege or exemption of the Crown.

61. All the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act or otherwise in relation thereto shall be taxed by the Taxing Officer of the Parliament of Northern Ireland be paid by the Council out of the Consolidated Town Rate.

SCHEDULE.

DESCRIPTION OF EXTENSION OF URBAN DISTRICT BOUNDARY.

Extension on West and North side.

Commencing at present boundary on Carnduff Road at a point marked "A" on Plan, thence south-west by fence on south-east side of "Summer Hill" for a distance of about 234 lineal yards to point "B" on Plan, thence north by fence for a distance of about 130 lineal yards, thence north-west by fence for a distance of about

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113 lineal yards, thence west through Quarry and along Fence to top of Glen for a distance of about 159 lineal yards to point "C" on plan, thence in a direct line north-west to a fence on north side of Ballysnod Road to a point marked "D" on Plan about 136 lineal yards south-west of existing boundary line at top of Whitla's Brae thence north along fence for a distance of about 85 lineal yards thence west along fence for a distance of about 100 lineal yards to point marked "E" on plan, thence in a straight line north-west for a distance of about 476 lineal yards to north side of a road at a distance of 116 lineal yards west of present Boundary post at Anteville Reservoir marked "F" on plan, thence north-west by fence for a distance of about 138 lineal yards, thence west along fence for a distance of about 153 lineal yards, thence north-west by fence for a distance of about 66 lineal yards, thence north along fence for a distance of about 356 lineal yards, thence west along fence for a distance of about 185 lineal yards to point marked "G" on Plan, thence north along river for a distance of about 230 lineal yards to point marked "H" on Plan, thence east by fence for a distance of about 146 lineal yards, thence north by fence for a distance of about 294 lineal yards thence east by fence for a distance of about 120 lineal yards, thence north by fence for a distance of about 166 lineal yards, thence east by a fence for a distance of about 30 lineal yards, thence north by fence for a distance of about 82 lineal yards to point marked "I" on Plan, thence east along fence for a distance of about 240 lineal yards to west side of Cairncastle Road, thence north along west side of Road for a distance of about 20 lineal yards, thence east across Cairncastle Road, thence by fence and across laneway and by fence for a distance of about 316 lineal yards to a point marked "J" on Plan, thence in a straight line east for a distance of about 216 lineal yards to a point marked "K" on Plan, thence east by fence for a distance of about 383 lineal yards, thence north by fence for a distance of about 160 lineal yards, thence east by fence for a distance of about 11 lineal yards to a point marked "L" on Plan, thence across Old Glenarm Road and in a straight line for a distance of about 65 lineal yards to a point marked "M" on Plan, thence by fence and across Glenarm Road for a distance of about 600 lineal yards to High Water Mark marked "N" on Plan thence southward along H.W.M. to present Boundary marked "O" on plan.

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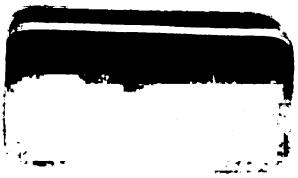
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